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# INVESTIGATION OF MEXICAN AFFAIRS

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## HEARING

BEFORE A

## SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

SIXTY-SIXTH CONGRESS

FIRST SESSION

PURSUANT TO

## S. Res. 106

DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO  
INVESTIGATE THE MATTER OF OUTRAGES ON CITIZENS  
OF THE UNITED STATES IN MEXICO

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## PART 7

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Printed for the use of the Committee on Foreign Relations



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1920





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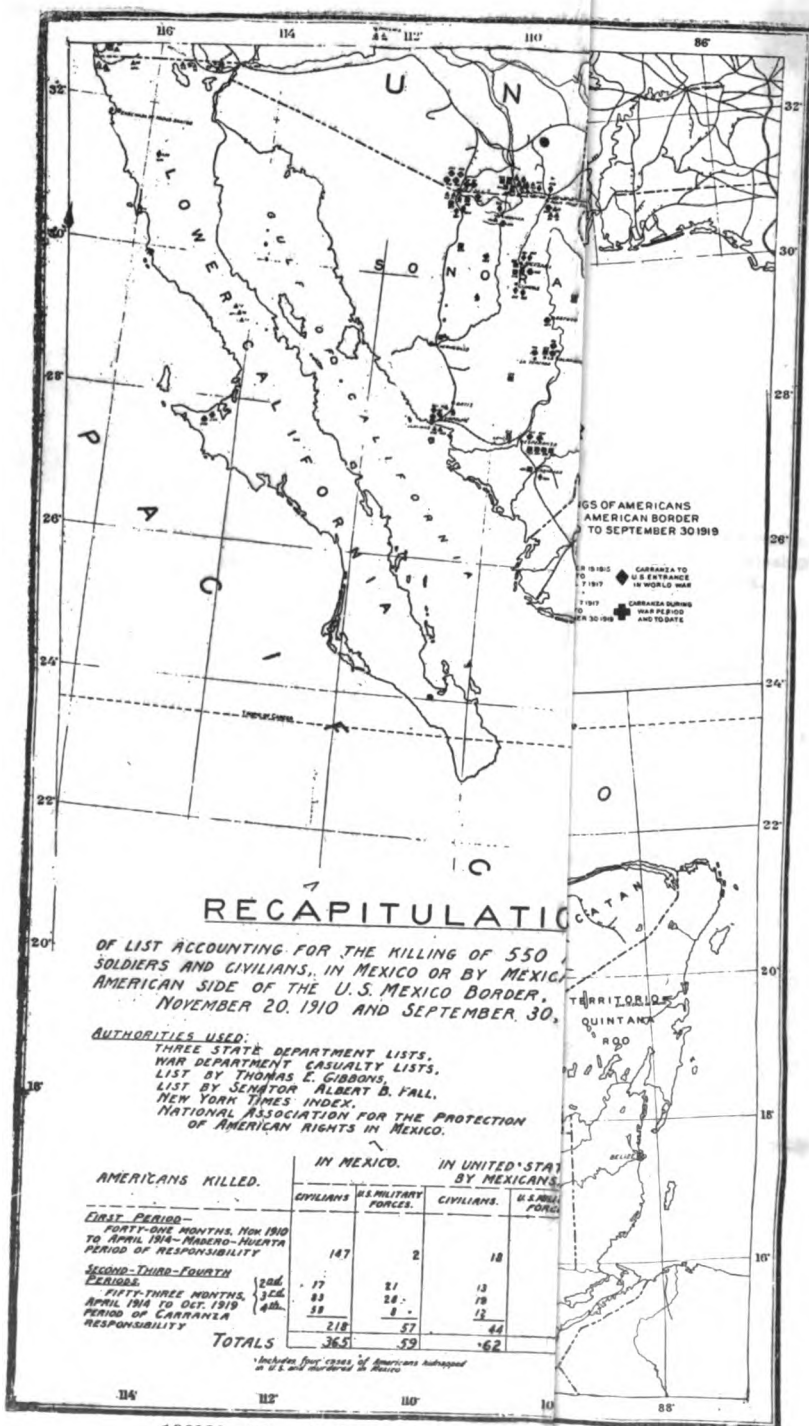
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## RECAPITULATION

OF LIST ACCOUNTING FOR THE KILLING OF 550 SOLDIERS AND CIVILIANS, IN MEXICO OR BY MEXICANS, AMERICAN SIDE OF THE U. S. MEXICO BORDER, NOVEMBER 20, 1910 AND SEPTEMBER 30, 1919.

### AUTHORITIES USED:

THREE STATE DEPARTMENT LISTS,  
WAR DEPARTMENT CASUALTY LISTS,  
LIST BY THOMAS E. GIBBONS,  
LIST BY SENATOR ALBERT B. FALL,  
NEW YORK TIMES INDEX,  
NATIONAL ASSOCIATION FOR THE PROTECTION  
OF AMERICAN RIGHTS IN MEXICO.

AMERICANS KILLED.	IN MEXICO.		IN UNITED STATES BY MEXICANS.	
	CIVILIANS.	U. S. MILITARY FORCES.	CIVILIANS.	U. S. MILITARY FORCES.
FIRST PERIOD— FORTY-ONE MONTHS, FROM 1910 TO APRIL 1915—MADERO-MUERTA PERIOD OF RESPONSIBILITY	147	2	18	
SECOND-THIRD-FOURTH PERIODS.	204	21	13	
FIFTY-THREE MONTHS, FROM APRIL 1915 TO OCT. 1919 PERIOD OF CARRANZA RESPONSIBILITY	358	57	44	
TOTALS	365	59	62	

<sup>1</sup> Includes four cases of Americans kidnapped  
in U. S. and murdered in Mexico.

# INVESTIGATION OF MEXICAN AFFAIRS.

MONDAY, DECEMBER 29, 1919.

UNITED STATES SENATE,  
SUBCOMMITTEE ON FOREIGN RELATIONS,  
*Washington, D. C.*

Testimony taken at Washington, D. C., December 29, 1919, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate:

## TESTIMONY OF EDWARD R. SARTWELL.

MR. KEARFUL. Please state your full name.

MR. SARTWELL. Edward R. Sartwell.

MR. KEARFUL. What is your present address?

MR. SARTWELL. My home address is 217 T Street NE., Washington, D. C.

MR. KEARFUL. And your business address?

MR. SARTWELL. My business address is 320 Kellogg Building, Washington, D. C.

MR. KEARFUL. What is your profession, Mr. Sartwell?

MR. SARTWELL. At the present time, a publicity agent.

MR. KEARFUL. With what concern are you connected?

MR. SARTWELL. I am connected with the National Association for the Protection of American Rights in Mexico, in their Washington office.

MR. KEARFUL. You have furnished the committee with a map [see opposite page] entitled "Murder Map of Mexico," showing the location of 550 killings of Americans in Mexico and by Mexicans along the American border during four periods covering the period from November 20, 1910, to October, 1919. Will you please explain the theory of this map and how and from what data it was prepared?

MR. SARTWELL. This map represents by symbols the location and the approximate date of 550 killings of American citizens during the period indicated. The deaths are indicated by four symbols; the first, a triangle, indicates a killing in the period November 20, 1910, to April 24, 1914. This period represents the period of Madero and Huerta control in Mexico; that is, it covers the revolutionary period from the beginning of the Madero revolution to the time that the Vera Cruz incident began the downfall of the Huerta revolutionary government.

The second period, represented on the map by a square, covers the date from April 24, 1914, to October 19, 1915. This period covers the final dissolution of the Huerta government and the accession of the Carranza government to the period when Carranza was recognized as the de facto head of the Mexican Government by the United States.

The third period, which is represented on the map by a diamond, covers the time from October 19, 1915, to April 7, 1917. This period covers the Carranza régime in Mexico prior to the entrance of the United States into the World War.

The fourth period, which includes the dates from April 7, 1917, to September 30, 1919, covers the Carranza régime during the time the United States was engaged in the World War to the last date mentioned.

The recapitulation accompanying the map shows the number of American civilians and the members of the United States military forces killed in each period and classifies these killings as to their location in Mexico or along the border. This recapitulation shows that during the first period, covering 41 months under the Madero and Huerta régime, 147 American civilians and 2 members of the military forces of the United States were killed in Mexico and that 18 civilians were killed in the United States by Mexicans.

This is a total of 167 Americans killed during this period.

During the second period 17 civilians and 21 members of the military forces of the United States were killed in Mexico and 13 civilians and 15 members of the United States military forces were killed in the United States by Mexicans.

During the third period 83 civilians and 28 members of the United States military forces were killed in Mexico and 19 civilians and 33 members of the United States military forces were killed in the United States by Mexicans.

The fourth period, 58 American civilians and 8 members of the United States military forces were killed in Mexico and 12 American civilians and 16 members of the United States military forces were killed by Mexicans in the United States.

During the 53 months represented by the second, third, and fourth periods, or the period of Carranza responsibility in Mexico, 218 American civilians and 57 members of the United States military forces were killed in Mexico, and 44 American civilians and 64 of the United States military forces were killed in the United States by Mexicans, making a total of 383 killings for these three periods. The total killings for the period covered by the map are 550.

Mr. KEARFUL. Please state from what sources you obtained this information.

Mr. SARTWELL. This map was prepared in the Washington office of the National Association for the Protection of American Rights in Mexico under the direction of Mr. J. P. Annin, Washington representative of the association, who is at present absent on account of illness. The list upon which the map is based is a compilation which coordinates the following authoritative lists of Americans killed in Mexico:

The Fall list, which was submitted to the Senate by Senator Albert B. Fall, of New Mexico, on March 9, 1914, and which was published in full in the New York Times of March 10, 1914. Three lists prepared by the State Department, the first, known as the Lansing list, appearing in Senate Document No. 324, Sixty-fourth Congress, first session, dated February 17, 1916; the second, called the State Department list, which appears in Senate Document No. 67, Sixty-sixth Congress, first session, dated July 31, 1919, and the third, called the Fletcher list, which was submitted to the House Rules Committee on July 22, 1919, by Ambassador Fletcher, and which appeared in the reports of the proceedings of that committee. A list of Americans killed in Mexico, which appears in the book *Mexico Under Carranza*, by Thomas E. Gibbon, page 248, et seq; a list called "Gibbon Revised," which is a revised list prepared by Thomas E. Gibbon; the casualty lists of the War Department covering the entire period excepting between October 1, 1916, and February 14, 1917; information in the New York Times newspaper on the dates mentioned in the tabulation and, finally, letters, claims, and other information of a specific character in the possession of the National Association for the Protection of American Rights in Mexico which are now in the files of that association at 347 Fifth Avenue, New York City.

Mr. KEARFUL. Was especial care exercised to make the list as full and complete for the period mentioned as possible and to avoid all duplications?

Mr. SARTWELL. Especial care was necessarily taken to avoid all duplications. The lists as I have given them to you in many cases show duplications. All of those lists are incomplete, and in some cases cover only a small part of the period which is covered by the map. In preparing the map the greatest care was exercised to avoid these duplications. Wherever it could be reasonably established that names on two or more of the lists were duplicates they were omitted. In five cases there seemed to be a reasonable doubt as to the duplication and these five cases have been included on the map with a note in the tabulation accompanying each of the five instances showing that they may be duplications and referring to the other cases which would show the possible duplication.

Mr. KEARFUL. I notice that each symbol on the map is accompanied by a number and that the tabulation which you have mentioned and submitted contains the names of the victims opposite each number with a citation of the place where the killing occurred, a brief statement descriptive of the killing and a reference to the particular authority from which the item was taken.

Mr. SARTWELL. Yes; that tabulation also includes the approximate date of each killing.

Mr. KEARFUL. The tabulation which shows on its face in brief from the data to which you have been testifying will be received and placed in the record at this point.

*American citizens killed and murdered by Mexicans.*

PERIOD NOVEMBER, 1910, TO APR. 24, 1914.

## CIVILIANS.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References. <sup>1</sup>
1	1910.				
2	Nov. 20	James W. Reid....	Mexico City.....	Killed by Mexican policeman	Gibbon; State.
3	Dec. 12	Emil Alex Krause	Novillas, Tamaulipas.	Killed by bandits.....	Gibbon.
4	.....	..... Cummings..	..... Mexico.....	Murdered; data incomplete.	State.
5	.....	..... Green.....	..... do.....	do.....	Do.
6	.....	..... Hughes.....	..... do.....	do.....	Do.
7	.....	..... McLaughlin.....	..... do.....	do.....	Do.
8	.....	..... Maxwell.....	..... do.....	do.....	Do.
9	.....	..... Passon.....	..... do.....	do.....	Do.
10	.....	..... Randall.....	..... do.....	do.....	Do.
11	1911.				
12	Mar. 9	William E. Fowler	Tuxpan, Vera Cruz.	Murdered by peon.....	Gibbon; State.
13	Apr. 7	George Critchfield.	..... do.....	Shot by Maderista; unpunished.	Do.
14	Apr. 13	Robert Harrington	Agua Prieta, Sonora.	Killed by stray bullet across border.	Fall.
15	Apr. 26	Dr. Seffer Olsen....	Cuernavaca, Puebla.	Wantonly killed in Zapatista train holdup.	Gibbon; Naparim.
16	Apr. 30	Roy M. Godman.....	Acapulco, Guerrero	Murdered by rebels.....	Gibbon; State.
17	May 9	Antonio Garcia.....	El Paso, Tex.....	Killed by stray bullet from Juarez.	Fall.
18	.....	Unknown.....	..... do.....	do.....	Do.
19	.....	..... do.....	..... do.....	do.....	Do.
20	May 18	Samuel Hiedy.....	Los Platanos, San Luis Potosi, approximate.	Killed by robbers.....	State.
21	May 27	Dr. R. G. Clarks....	Mexico City.....	Killed by Maderistas.....	Gibbon; State.
22	May, June	Elbert Pope.....	Lower California, approximate.	Killed by fleeing bandits....	State.
23	June 4	W. H. McDonald.....	Pachuca, Hidalgo.	Killed by bandits.....	Gibbon.
24	June 11	Jno. G. D. Carroll.	Alamo, Lower California.	Killed by Madero soldiers because Dr. Foster attended wounded rebel.	Gibbon; State.
25	.....	Dr. Allen L. Foster.	..... do.....	do.....	Do.
26	.....	Patrick Glennon.....	..... do.....	do.....	Do.
27	June 22	Mrs. Anderson, daughter, and unnamed American boy.	State of Chihuahua.	Killed by Madero soldiers; murderers served 6 months in prison and were then released.	Gibbon; Fall.
28	June 17	Milton K. Willis....	Mexicali, Lower California.	Killed by a relative of a Madero judge.	State.
29	Sept. 14	Oscar M. Delham....	Pachuca, Hidalgo.	Murdered by bandits because he was a "gringo."	Gibbon; State.
30	Sept. —	Wenceslas France....	Acala, Chiapas....	Murdered by Indians.....	Gibbon.
31	Nov. 11	Jno. R. Lockhart....	Durango, State, approximate.	Killed by Indian bandits....	Gibbon; Fall.
32	Dec. 10	Chas. W. Gillet....	Acaponeta, Tepic.	Killed by bandits in view of his wife.	Gibbon; State.
33	.....	..... Bertholdt....	Somewhere in Mexico.	Murdered, but data incomplete.	Naparim.
34	.....	..... Bishop.....	..... do.....	do.....	State.
35	.....	..... Jones.....	..... do.....	do.....	Do.
36	.....	..... Lawton.....	..... do.....	do.....	Do.
37	.....	..... Lescher.....	..... do.....	do.....	Do.
38	.....	..... Royer.....	..... do.....	do.....	Do.
39	.....	William H. Shope....	..... do.....	Shot by bandits who outraged wife and daughters.	Do.
40	.....	..... Swazay.....	..... do.....	Murdered; data incomplete.	Do.
41	.....	..... Urby.....	..... do.....	do.....	Do.
42	Mar. 10	Jas. B. McClelland	Rio Chico, Durango.	Killed by bandits.....	Do.
43	1912.				
44	Mar. 10	A. E. Thomas.....	South of Nogales, Sonora.	Killed by bandits, defending wife and children.	Gibbon; Fall.
45	Mar. 27	Escalon Smith.....	Somewhere in Mexico.	Killed by bandits.....	Gibbon.
46	Apr. 4	W. H. Waite.....	Ochotal, Vera Cruz	Beheaded when employees turned bandits; two alleged murderers executed by Madero.	Gibbon; State.

<sup>1</sup> See "Notes" following this table.

*American citizens killed and murdered by Mexicans—Continued.*

PERIOD NOVEMBER, 1910, TO APR. 24, 1914—Continued.

## CIVILIANS—Continued.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References.
46	1912. Apr. 9	Thos. A. J. Fountain.	Parral, Chihuahua	Executed by Gen Salazar... despite State Department protest; was Villista soldier.	Fall; State.
47	Apr. 10	Thos. C. Kane.....	Somewhere in Mexico.	Murdered when bandits wrecked train and butchered passengers.	Gibbon; Fall.
48	May —	Jas. D. Harvey....	Chihuahua, approximate.	Killed and mutilated by bandits.	State; Fall.
49	May-July	William Adams....	Ascencion, Chihuahua.	Murdered by Madero officer, in daughter's arms at funeral of his wife.	State.
50	June 18	H. W. Stepp.....	Durango City.....	Shot by rebels for failure to pay 500 pesos ransom.	Fall.
51 } 52 } 53 }	July 12 July 21	{Jno. Hertling..... {Guido Schubert... {Henry Crumely....	{Nogales, Sonora... {Purandiro, Michoacan. {Guanajuato, Guanajuato.	{Both hanged by Orozco followers. {Murdered by Mexican servant. {Killed by bandits.....	{Do. {State. {Gibbon.
54	Aug. 10	Jno. W. Shepard..	Guanajuato, Guanajuato.	Killed by bandits.....	Gibbon.
55	Aug. 11	H. L. Strauss.....	Cuautla, Morelos..	Killed by bandits in train holdup.	Fall.
56	Aug. 14	Rowan Ayers.....	Patzeuaro, Michoacan.	Killed by bandits; arrest reported.	State.
57	Aug. 28	Joshua Stevens....	Pacheco, Chihuahua.	Killed defending daughters from bandits.	Fall; State.
58	Sept. —	— McKinsea..	Agua Prieta, Sonora.	Executed by rebels.....	Fall.
59	Sept. 16	N. Mathewson.....	Colonia Morelos, Sonora.	Killed by bandits.....	Do.
60	Sept. 29	Patrick J. Kelly...	Velardena, Durango.	.....do.....	Gibbon.
61	do....	Herbert Russell..	Durango City, Durango.	Killed by rebels.....	Fall.
62	Nov. 17	John F. Brooks....	Colonia Chuichupa, Chihuahua.	Killed by rebels for resisting robbery.	Fall; State.
63	Dec. 31	Ernest Spillsbury.	Pachuca Hidalgo..	Murdered by Mexican civilian.	State.
64	.....	— Buckerdike	— Mexico.....	Murdered, data incomplete..	Do.
65	.....	— Crawford	do.....	do.....	Do.
66	.....	— Haigler	do.....	do.....	Do.
67	.....	Mrs. Mortenson..	Guadalupe, Chihuahua.	Killed by bandits ravaging her 10-year old daughter; murderers identified, arrested and released without trial.	Naparim.
68	.....	Unknown.....	do.....	Killed attempting to defend Mortenson child (cf. No. 67).	Do.
69 } 70 } 71 } 72 }	.....	{— Meyer..... {— Referman... {— Thompson... {— Couch.....	{— Mexico..... {Colonia, Tamaulipas. {Chamal, Tamaulipas.	{Murdered; data incomplete. {Killed with machete by 3 Mexicans. {Beaten to death by bandits..	{State. {Naparim. {Do.
73	.....	W. L. Raynolds...	Chihuahua (State) approximate.	Killed by Federal soldiers...	Gibbon's revised.
74	1913	Jno. Henry Thomas	Chihuahua (State) approximate.	Killed by Federal soldiers...	Gibbon's revised.
75	.....	Unknown.....	{Lower California, approximate.	{3 miners killed by bandits...	{New York Times {Mar. 10, 1913.
76 } 77 } 78 }	Jan. — Jan. 14	{Edw. G. Dexter... {S. J. Taviache, {Oaxaca.	{Mexico City..... {do.....	{Murdered by Indians..... {Killed in street fighting.... {Killed by stray shell in street fighting.	{State.. {Gibbon. {Naparim; New York Times, {Feb. 13, 1913. {Do.
79 } 80 }	Feb. 11 Feb. 12	{Mrs. W. I. Bishop. {Mrs. Jos. P. Griffith.	{do..... {do.....	{Killed by stray bullet in street fighting.	{Gibbon; New York Times, {Mar. 15-16, 1913.
81	do....	Mrs. Minnie L. Holmes.	do.....	do.....	Do.
82	Feb. 15	R. Norvall Meredith.	do.....	Killed by stray bullet in street fighting.	Gibbon; New York Times, Mar. 15-16, 1913.



*American citizens killed and murdered by Mexicans—Continued.*

PERIOD NOVEMBER, 1910, TO APR. 24, 1914—Continued.

## CIVILIANS—Continued.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References.
83	1913.				
84	Feb. 20	Boris Gorow.....	Nueva Vista Tepic	Killed by bandits.....	State.
	Mar. 1—	Frank Horace.....	Coacoman, Michoacan.	Killed by Mexican civilian..	Do.
85	Mar. 17	Walter Van Den Bosch.	Durango City, Durango.	.....do.....	Do.
86	Mar. 22	James O. Lawrence	Tampico.....	.....do.....	Do.
87	Mar. 24	L. Busnell.....	— Mexico.....	Killed by bandits.....	Gibbons's revised.
88	.....do.....	Pablo Soto.....	.....do.....	.....do.....	Do.
89	Mar. 31	Albert H. Lawrence.	Tampico.....	Killed by Mexican civilian..	State.
90	Apr. 9	Frank Ward.....	Yago, Tepic.....	Shot down in home by bandits.	Fall.
91	Apr. 13	J. C. Edwards.....	Agua Prieta Sonora.	Killed by Villistas.....	Gibbon; Fall.
92	Apr. 30	Wm. B. A. Dingwell.	— Mexico.....	Killed by rebels.....	Gibbons's revised.
93	May 4	Clarence Cooper...	Pearson, Chihuahua.	Killed by bandits.....	Fall.
94	May 5	Unknown.....	Guanaymas-Ortiz, Sonora.	Railroad man killed by rebels.	New York Times May 6, 1913.
95	.....do.....	.....do.....	.....do.....	.....do.....	Do.
96	May 12	William Protexter.	Junta, Chihuahua.	Murdered by Mexican civilians.	State.
97	May 13	John B. Alamia...	Rio Bravo, Tamaulipas.	Hanged by rebels charged with being Madero spy.	State; Times, May 15, 1913.
98	July 5	Benjamin Griffin..	Chichicapa, Chihuahua.	Killed by bandits for refusing to pay ransom.	Fall; New York Times, July 18, 1913.
99	July 6	Henry Knox Burton.	Santa Rosalia, Chihuahua.	Killed by Carranza soldier because he was an American.	State; New York Times, July 11, 1913-Aug. 13, 1914.
100	Aug. 13	Edmund Hayes, Jr.	Madera, Chihuahua.	Murdered in cold blood by Huerta soldiers.	State; Gibbon; Fall; New York Times, Aug. 26, 1913.
101	.....do.....	John Henry Thomas.	.....do.....	Murdered in cold blood by Huerta soldiers. (Possibly duplicate No. 74.)	Do.
102	Aug. 28	Mrs. Charles E. Ross.	Chihuahua City...	Murdered by four Mexican robbers.	State.
103	Sept. —	Allen McCoy, Sr..	Ayultla, Jalisco...	Driven from home with his wife and maltreated by Carrancista bandits. Lost his mind and died in United States.	Naparin.
104	Sept. 2	Morris P. Root....	Huajicori, Tepic...	Hacked to pieces by Mexicans who looted mine.	State; New York Times, Sept. 16, 1913.
105	Sept. 10	Wm. C. Robertson.	El Lobo, Sinaloa...	Shot down by rebels for refusing to surrender arms.	State; New York Times, Sept. 18, 1913.
106	Sept. 16	Victor W. East....	— Campeche...	Murdered by bandit.....	State.
107	Oct. 2	R. Weiniger.....	Mapimi, Durango.	Killed by Carrancistas.....	Gibbon; New York Times, Nov. 7, 1913.
108	Oct. 13	Thomas Barrett...	Hosotipaquilla, Jalisco.	Killed by Mexican miners...	Gibbon; New York Times, Oct. 17, 1913.
109	.....do.....	William Kendall..	.....do.....	.....do.....	Do.
110	Nov. —	John Edson.....	Guadalajara, Jalisco.	Murdered with wife by four Mexicans with machetes.	State.
111	.....do.....	Mrs. John Edson..	.....do.....	Murdered with husband (cf. No. 110).	Do.
112	Nov. 1	Porfirio Laurel...	Nuevo Laredo, Tamaulipas.	Murdered by Madero soldiers.	Do.
113	Nov. 16	Charles Seggerson.	Juarez.....	Killed by Villistas attacking Juarez.	Do.
114	Dec. 31	Encarnacion Sanchez.	Mexicali, Lower California.	Killed by Madero officials...	Do.
115	.....do.....	Jose Valencia....	.....do.....	.....do.....	Do.
116	.....do.....	B. Stowe.....	— Chihuahua.	Killed by bandits.....	Fall.

*American citizens killed and murdered by Mexicans—Continued.*

PERIOD NOVEMBER, 1910, TO APR. 24, 1914—continued.

## CIVILIANS—Continued.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References. <sup>1</sup>
117	1914. Jan. —	Pedar Pederson...	Ozuluama, Vera Cruz.	Murdered by robbers.....	State.
118	Jan. 26	Frank Smith.....	Tampico.....	Murdered by Huerta officers.	Do.
119	Jan. 28	Robert W. Hardwood.	Tlajana, Lower California.	Killed by Huerta soldiers under "ley fuga."	New York Times, Feb. 1, 1914.
120	do.	Mortimer Miller.....	do.	do.	Do.
121		Mrs. Lee Carruth.....			Gibbon: New York Times, Feb. 9, 1914.
122		— Carruth.....		Bandits under Castillo fired the timber lining of the railroad tunnel by running a blazing freight train into the shaft and wrecking it. A passenger train on which were Mrs. Carruth, her 5 children, and 10 other Americans, ran into the blazing tunnel and was wrecked. Villa ordered Castillo executed, but he escaped to the United States where he was detained a short time, but was later allowed to go....	Gibbon: New York Times, Feb. 9, 1914.
123		do.....			Do.
124		do.....			Do.
125		do.....			Do.
126		do.....			Do.
127		Martin J. Gilmarlin	Cumbre Tunnel,		State.
128	Feb. 4.	K. L. Hatfield.....	Chihuahua.....		New York Times, Feb. 9, 1914.
129		Thomas Kelly.....			State.
130		Edward J. McCutcheon.....			Do.
131		C. H. Marders.....			Do.
132		J. I. Moreys.....			Gibbon's Re-vised.
133		J. I. Morris <sup>1</sup> .....			State.
131		Henry Schofield.....			Do.
135		John Webster.....			Do.
136		Lee Williams.....			Do.
137	Feb. 15	Harry Compton.....	Chihuahua City...	Executed by Huertistas.....	State.
138	Feb. 22	E. M. Harmon.....	Madera, Chihuahua.	Murdered by bandits.....	Do.
139	Mar. 6	Gustave Bauch.....	Juarez, Chihuahua	Killed by Villistas despite protests of United States.	New York Times, Feb. 19-May 28, 1914.
140	Mar. 15	Oscar Allen.....	Pearson, Chihuahua.	Murdered by bandits.....	State.
141	Mar. 26	Charles Milton.....	Cananea, Sonora...	Killed by Huertistas.....	Do.
142	Apr. 6	Juan Coy.....	Monclova, Coahuila.	Killed in bandit attack on town.	Do.
143	Apr. —	Maurice McDonald	S. P. de las Colonias, Coahuila.	Tortured to death by Carranza soldiers.	Gibbon: New York Times, Apr. 23, 1914.
144	...do...	Guy S. Sawyer.....	Monterrey.....	Killed by Carrancistas in attack on town.	State.
145	...do...	Mrs. Joseph Smith	— Mexico.....	Killed by bandits with her child.	New York Times, Apr. 26, 1914.
146	...do...	— Smith.....	do.....	Child of Mrs. Smith killed by bandits (cf. No. 145).	Do.
*147	1916. Apr. 27	William Brown...	Matamoros, Tamaulipas.	Kidnapped and killed by Mexican bandits.	State; New York Times, May 3, 1916.
*148	1917. Feb. 15	Hugh Accord.....	X— Chihuahua.	Kidnapped by bandits and killed with A. P. Peterson and Martin Jensen.	State; War.
*149	...do...	Martin Jensen.....	— Chihuahua.	Killed with Accord by bandits (cf. No. 148).	State; War; New York Times, Feb. 16, 17, 18, 1917.
*150	...do...	A. P. Peterson.....	do.	do.	Do.
151	1910.	— Chandler.....	El Paso, Tex.....	Killed by bullet from across border.	Naparin.
152		— Griffiths.....	do.	do.	Do.
153	1911. May 9	John Camp.....	do.	Killed by bullet from Madero attack on Juarez.	Fall.
154	...do...	Oscar Creighton...	do.	do.	Fall; Naparin.

<sup>1</sup> May duplicate No. 132.

*American citizens killed and murdered by Mexicans—Continued.*

PERIOD NOVEMBER, 1910, TO APR. 24, 1914—Continued.

## CIVILIANS—Continued.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References.
155	1912. Sept. 16	Robert Williams	Phoenix, Ariz.	Policeman killed by Mexican bandits who crossed line for a celebration: shots aimed at Williams also killed Price Scott.	Gibbon; Fall.
*156	do.	Price Scott	do.	Killed by Mexican bandits with Williams (cf. No. 155).	Do.
157	1913. Feb. 10	John S. H. Howard	Candelaria, Tex.	Killed by Mexican smugglers.	New York Times, Feb. 19, 1913.
158	Mar. 24	Robert Charlot	Naco, Ariz.	Killed by stray bullet from battle for Cananea, Sonora.	New York Times, Mar. 25, 1913.
159	do.	Pablo Soto	do.	do.	Gibbon; New York Times, Mar. 25, 1913.
160	July 17	Unknown	Domingo-Columbus, N. Mex.	Mail carrier shot from ambush by bandits.	New York Times, July 18-19, 1913.
161	1914. Mar. 15	F. V. Johnston	Tecate, Lower California.	Postmaster burned to death in store by bandits.	New York Times, Mar. 16-17, 1914.
162	do.	Unknown	Naco, Ariz.	4 Americans killed by shots from across border.	State.
163	do.	do.	do.	do.	Do.
164	do.	do.	do.	do.	Do.
165	do.	do.	do.	do.	Do.

## UNITED STATES MILITARY FORCES.

428	1913. Apr. 11	John C. Klesow	Guaymas, Sonora.	Sailor shot down by Mexican chief of police.	State; New York Times, Apr. 12, 13, 15, 1913.
429	do.	William W. Corrie	do.	do.	Do.

PERIOD APR. 24, 1914, TO OCT. 19, 1915.

## CIVILIANS.

166	1914. Apr. 25	Weston Burwell	Ozuluama, Tamaulipas.	Shot down by Huerta officer.	State; New York Times, May 14, 1914.
167	May —	Edward D. Doster	Mexico City	Killed by bandits.	Gibbon.
168	do.	White	Guadalajara, Jalisco.	Killed in bandit raid on mine.	New York Times, May 8, 9, 10, 1914.
169	May 8	C. B. Hoadley	El Favor Mine, Jalisco.	Killed by rioting mine employees.	New York Times, May 9-19, Dec. 20, 1914.
170	May 9	Peter Higginsberger	Tixtla, Guerrero.	Higginsberger, Smith, and 4 other Americans killed for resisting Huertista rurales who sought to disarm them.	New York Times, May 10, 1914.
171		J. Smith			
172		Unknown			
173		do.			
174		do.			
175		do.			
176	May 11	James S. Beard	Parrar, Coahuila.	Killed by Orozquista rebels despite United States passport.	Gibbon; New York Times, May 12, 1914.
177	May 14	James Crawford	Panucho, Vera Cruz.	Murdered by bandits.	State.
178	May 20	Richard Urban	Nacozari, Sonora.	do.	Do.
179	June 28	Tom Farrell	Hermosillo, Sonora.	Killed by Yaqui or Mexican bandits from ambush.	Do.
180	July 1	James Antonio Willis	Agua Calientes, Aguascalientes.	Disappeared; believed killed by gringo haters.	Naparin.
181	do.	Jack Harmon	do.	Disappeared with Willis (cf. No. 180).	Do.

## American citizens killed and murdered by Mexicans—Continued.

PERIOD APR. 24, 1914, TO OCT. 19, 1915—Continued.

## CIVILIANS—Continued.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References..
182	1914. Aug. 6	O. A. L. Squires...	La Colorada, Sonora.	Killed for resisting robbery by Yaquis.	State.
183	Aug. 10	John Williams...	Vasitos, Sonora...	Killed by bandits.	Do.
184	Aug. 27	Dr. E. E. Kelly...	Navajoa, Sonora...	Shot in back by Huertista soldier.	Do.
185	Sept. 21	Edward L. Nixon...	Tampico.....	Stabbed to death by 6 Mexican bandits.	Do.
186	Sept. —	Mel. Warner.....	Juarez.....	Murdered for \$1,500 in gold which he carried.	Naparim.
187	Oct. 25	E. P. Baker.....	Parral, Chihuahua.	Executed by Carranza troops after capture of town.	New York Times, Oct. 27, 1914.
188	do.....	James Freudenstein.	do.....	do.....	Do.
189	Nov. 8	William Bishop...	Temosachic, Chihuahua.	Dragged to death by wild horses by Perez bandits.	Gibbon; New York Times, Nov. 9, Dec. 5, 1914.
190	do.....	Carl Eck (or Eckles).	do.....	do.....	Gibbon; New York Times, Nov. 9, 1914; Naparim.
191	do.....	William Spencer...	do.....	do.....	Gibbon; New York Times, Nov. 9, 1914.
192	Nov. 16	F. C. Chapel.....	Nogales, Sonora...	Shot by Carranza sentry...	State.
193	Dec. 29	Herbert Atwater...	San Geronimo, Vera Cruz.	Stabbed by Mexican civilian.	Do.
194	.....	Lee Baughmann...	La Cienaga Mine, Chihuahua.	Killed by bandits.....	Naparim.
195	.....	— King.....	Tampico.....	Killed by Carrancistas.....	Gibbon.
196	.....	Patrick McKinney	Mexico City.....	Killed by bandits.....	Do.
197	.....	Mrs. Mallard.....	Tampico.....	Killed with her baby by Carrancistas.	Do.
198	.....	Baby Mallard.....	do.....	Killed by Carrancistas (cf. No. 197).	Do.
199	.....	— Roth.....	do.....	Killed by Carrancistas.....	Do.
200	.....	— Wood.....	do.....	do.....	Do.
201	1915.	Juan Batamia.....	— Coahuila....	Killed by order of Gen. Blanco.	Gibbon's Revised.
202	.....	Bernard Boley.....	do.....	Killed by bandits.....	Do.
203	.....	C. B. Hadley.....	Guadalajara, Jalisco.	Killed by bandits (may be duplicate of No. 169).	Do.
204	.....	Joseph T. San Blas	— Sinaloa.....	Killed by Indians.....	Do.
205	.....	J. P. Smith.....	— Coahuila....	do.....	Do.
206	Jan. 16	Gustavo Hernandez	Rio Bravo, Tamaulipas.	Hanged by Carranza officials.	New York Times, Jan. 17, 1915.
207	do.....	Francisco Yturrio	do.....	do.....	Do.
208	Jan. 25	George Saunders...	Nacozari, Sonora...	Killed by bandits.....	State.
209	Feb. —	Walter McIntosh...	Tampico.....	Murdered by bandits said to be Carrancistas.	Gibbon; State.
210	do.....	C. C. Pottinger...	Candelaria, Sonora.	Died of ill-treatment by Carranza officials.	Naparim.
211	Feb. 12	Charles Dalrymple	Victoria, Tamaulipas.	Murdered in prison by Huertistas.	State.
212	Feb. 15	V. M. Smith.....	Mexico City.....	Killed when he resisted robbery by Carranza troops.	Gibbon; New York Times, Apr. 3, 1915.
213	do.....	Roscoe Billins...	do.....	Killed resisting robbery by Carranza troops.	Do.
214	Feb. 25	Eugene Camera...	Lencho Station, Sonora.	Murdered by Yaquis.....	State.
215	Feb. 27	J. Cervantes.....	Cerritos, San Luis Potosi.	Executed by Villa commander.	Naparim; Times, Feb. 28—Mar. 1-7, 1915.
216	Mar. 11	John B. McManus...	Mexico City.....	Killed while defending his home from Zapatistas.	State.
217	Apr. 25	Reyes Grijalva...	Nogales, Sonora...	Shot by Villista policeman.	Do.
218	Apr. 27	William M. Reed, Jr.	Tampico.....	Executed by Carranza authorities without trial.	Do.
219	do.....	Cassie M. Brown...	Los Mochis, Sinaloa.	Killed by Mayo Indians.....	Do.

*American citizens killed and murdered by Mexicans—Continued.*

PERIOD APR. 24, 1914, TO OCT. 19, 1915—Continued.

## CIVILIANS—Continued.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References. <sup>1</sup>
220	1915. May —	John Smith.....	Tampico.....	{ John Smith and 5 other Americans killed by bandits in attack on launch in Panuco River.	{ Gibbon; Times, June 3, 1915.
221		.....			
222		.....			
223		.....			
224		.....			
225	May 11	W. A. Fay.....	Esperanza, Sonora	{ Killed when Indians attacked American colony.	State; Times, May 14-16, 1915.
226		J. J. Donovan.....			
227		John P. Wilson.....			
228		William Stocker.....			
229	do.....	Clarence Fisher.....	Sarie, Sonora.....	Tortured to death by Villista troops.	New York Times, May 12, 1915.
230	do.....	Isaac R. Ely.....	Ebano, Tamaulipas.	Shot by Villistas in attack on pumping station.	State.
231	May 15	John Gleen Parmenter.	Guadalajara, Jalisco.	Murdered by bandits in robbery.	Do.
232	May 26	Robert Camp.....	do.....	do.....	New York Times, June 6-23, 1915.
233	do.....	J. N. Bennett.....	Tampico.....	Killed in Villista attack on launch.	State.
234	do.....	H. S. Ketchum.....	Pilares de Nacozari.	Killed by bandits.....	Naparin.
235	June 5	Gilbert Teanhl.....	Charcas, San Luis Potosi.	Killed by Mexican civilians.	State.
236	June 16	A. L. Austin.....	Matamoros, Tamaulipas.	Killed by bandits with his son.	Do.
237	Aug. 7	Charles Austin.....	do.....	Killed by bandits with his father (cf. No. 237).	Do.
238	do.....	Edw. Freeman Welles.	Vera Cruz Santa Lucetia, Vera Cruz.	Killed by Zapatistas in train robbery.	State. Naparin.
239	Aug. 13	James Jacoby.....	Chihuahua City...	Killed by bandits, said to be Carrancistas.	State.
240	Aug. 21	James E. Taylor...	Panuco, Vera Cruz.	Shot by bandits while defending home.	Do.
241	Sept. 5	Joseph Tays.....	San Blas, Sinaloa..	Killed in Indian raid on American farm colony.	State; Naparin.
242	do.....	Jesus Sandanel....	Brownsville, Tex..	Shot from across river by Carranza soldiers.	Gibbon.
243	Feb. 10	Gene Hulen.....	Alpine, Tex.....	Killed by raiding Mexican bandits.	Lansing; New York Times, May 30, 1915.
244	May 22	Joseph Sitters.....	do.....	do.....	Do.
245	do.....	Lyford, Tex.....	do.....	do.....	New York Times, July 6, 7, 1915.
246	July 5	do.....	do.....	do.....	Do.
247	do.....	Bryan Doyle.....	Raymondsville, Tex.	do.....	New York Times, July 19, 1915.
248	July 18	John Madrid.....	Polvo, Tex.....	do.....	New York Times, Aug. 15, 1915.
249	Aug. 14	H. H. Kendall....	Brownsville, Tex..	Killed by bandits in train robbery.	State.
250	Oct. 18	McKane.....	do.....	Killed by Mexican raiding bandits in train robbery.	Gibbon; New York Times, Oct. 19, 20, 1915.
251	do.....	Bonofacio Benivides.	Los Indios, Tex...	Killed by raiding Mexican bandits.	State.
252	— —	Clemente Vergara.	Piedras Negras, Coah.	Lured across border and tortured by Carrancistas.	Do.
253	Feb. 13	J. S. Smith.....	Matamoros, Tamaulipas.	Kidnapped by raiding Mexican bandits and murdered.	Gibbon; State; New York Times, Sept. 3, 1915.
254	Sept. 2	Earl Donaldson...	do.....	do.....	Do.
255	do.....	do.....	do.....	do.....	Do.

*American citizens killed and murdered by Mexicans—Continued.*

PERIOD APR. 24, 1914, TO OCT. 19, 1915—Continued.

UNITED STATES MILITARY FORCES.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References.
430	1914. Apr. 21	I. F. Boswell.....	Vera Cruz, Vera Cruz.	15 United States sailors and marines were killed by Huerta troops and snipers when the United States forces occupied the city of Vera Cruz.	Gibbon: New York Times, Apr. 22-May 5, 1914.
431		G. A. De Fabbio.....			
432		Francis P. De Lowry.....			
433		Frank Devorick.....			
434		Elzie C. Fisher.....			
435		Louis Oscar Fried.....			
436		E. H. Frohlichstein.....			
437		C. R. Herschberger.....			
438		Dennis J. Lane.....			
439		George Poinsette.....			
440		Henry Pullman.....			
441		John F. Schumacher.....			
442		Charles Allen Smith.....			
443		Albin Eric Stream.....			
444		Walter L. Watson.....			
445		D. A. Haggerty (Marine Corps).....			
446	May 7	Samuel Marten (Marine corps).....	do.....	Strayed into Huerta lines, executed and body burned.	State: New York Times, May 9-Nov. 2, 1914.
447		S. Meisenberg (Marine Corps).....			
448		R. E. Percy (Marine Corps).....			
449		R. Summerlin (Marine Corps).....			
450		Samuel Parks, U. S. Army.....			
451	1915. Sept. 24	R. J. Johnson, U. S. Army.....	Progreso, Tex.....	Kidnapped and killed by Carrancista raiders.	New York Times, Oct. 28, 29, 30, 1915.
452	1914. Aug. —	—, U. S. Army.....	Naco, Ariz.....	Killed by shot from across border.	State.
453	do.....	do.....	do.....	do.....	Do.
454	Oct. 9	H. Wilson, U. S. Army.....	do.....	do.....	War.
455	Oct. 17	R. B. Watson, U. S. Army.....	do.....	do.....	War: New York Times, Apr. 27, 1916.
456	Nov. 27	W. A. Robinson, U. S. Army.....	Tecate, Calif.....	Stabbed in quarrel with Mexican.	New York Times, Nov. 28, 1914.
457	1915. Jan. 29	Wm. Warwick, U. S. Army.....	El Paso, Tex.....	Killed while asleep by shot from across border.	State.
458	Aug. 2	G. R. McGuire, U. S. Army.....	Brownsville, Tex.....	Killed by raiding Mexican bandits.	War.
459	Aug. 10	L. C. Windhaus, U. S. Army.....	Mercedes, Tex.....	do.....	War: New York Times, Aug. 7, 1915.
460	Aug. 16	John William, U. S. Army.....	Progreso, Tex.....	Killed by bullet from across border.	War.
461	Oct. 18	A. T. McBee, U. S. Army.....	Brownsville, Tex.....	Killed in train hold-up by raiding Mexican bandits.	War: New York Times, Oct. 19-20, 1915.
462	do.....	H. E. Moore, U. S. Army.....	do.....	do.....	War: New York Times, Oct. 25-26, 1915.
463	Sept. 13	H. T. Forney, U. S. Army.....	do.....	Killed by raiding Mexican bandits.	War: Gibbon; New York Times, Sept. 14-15, 1915.
464	do.....	Anthony Kraft, U. S. Army.....	do.....	do.....	War.
465	Sept. 24	H. W. Stubblefield, U. S. Army.....	Progreso, Tex.....	Killed by raiding Carrancista bandits.	War Times, Sept. 25, 1915.

*American citizens killed and murdered by Mexicans—Continued.*

PERIOD OCT. 19, 1915, TO APR. 7, 1917.

## CIVILIANS.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References.
	1915.				
256	Oct. 26	Charles Boone....	Guzman, Chihuahua.	Killed by Villa soldiers.....	Gibbon.
257	Nov. 4	Chas. S. Windham.	Quilmichis, Tepic..	Killed by bandits for having resisted robbery.	State; Naporim.
258	...do...	Maurice Free.....	Bateve, Nayarit...	Killed by bandits who killed Windham (cf. No. 257).	State; New York Times, Nov. 17, 1915.
259	...do...	Chas. Goldsborough.	...do.....	Killed by bandits with Maurice Free (cf. No. 258).	Do.
260	Nov. 12	A. N. Harper.....	Nogales, Sonora...	Killed by bandits.....	Gibbon.
261	...do...	Henry Slate.....	...do.....	...do.....	Do.
262	Nov. 20	Edgar B. Bean.....	Puertecitos, Sonora.	Wantonly killed by Villista commander.	State.
263	Dec. 21	George A. Diepert.	Juarez, Chihuahua.	Killed by stray bullet from Villa-Carranza battle.	Gibbon; State; New York Times, Dec. 22, 1915.
264	Dec. 26	G. L. Hartman...	Basaseachic, Chihuahua.	Killed by Villistas.....	State.
265	.....	Bernard Boley....	Raymondsville, Tex.	Killed by bandits.....	Gibbon; State.
266	.....	— Dubois.....	Oaxaquena, Vera Cruz.	...do.....	Gibbon; Naporim.
267	.....	Charles Jensen....	Mata moros, Tamaulipas.	Murdered by bandits.....	Gibbon; State.
268	.....	C. M. Saule.....	Canelas-La Mesa (de), Durango.	Killed by bandits.....	Naporim.
269	.....	Peter Scott.....	Navajoa, Sonora...	...do.....	State.
270	.....	James L. Warren..	Tampico.....	Murdered by a Carranza colonel.	Gibbon; Lansing.
	1916.				
271	Jan. 5	Bart Cramer.....	Minaca, Chihuahua	Killed by bandits.....	State; New York Times, Jan. 15.
272	July 10	Maurice Anderson.	Santa Ysabel, Chihuahua.	{ 18 Americans murdered in cold blood by Villistas who held up train on which the victims were bound to reopen Cusi mines under Carranza safe conduct.	{ State.
273		Avery H. Couch...			
274		John P. Coy.....			
275		Thomas H. Evans.			
276		Alexander Hall...			
277		Herman C. Hase...			
278		Thomas Johnson...			
279		Richard P. McHutton.			
280		George W. Newman.			
281		W. D. Pearce.....			
282	Jan. 12	Charles A. Pringle.	Babicora, Chihuahua.	Killed by bandits.....	New York Times Jan. 14, 1916.
283		Ernest L. Robinson.			
284		M. B. Romero....			
285		R. H. Simmons...			
286		Charles Wadleigh.			
287		W. J. Wallace.....			
288		Charles R. Watson			
289		J. W. Woom.....			
290		George F. Parsons.			
291		George F. Pearson.	—, Chihuahua.	Executed by Carranza troops under Rodriguez (may be duplicate No. 290).	Gibbon.
292	Jan. 15	Victor Hamilton...	Torreón, Coahuila.	Killed by Villistas.....	Do.
293	...do...	Albert F. Simmons	...do.....	Killed by bandits.....	Do.
294	Jan. 21	James Bert Akers.	San Lorenzo, Chihuahua.	Murdered by Mexican cattle thieves.	State.
295	...do...	Unknown.....	Juarez, Chihuahua	Killed by cattle thieves....	Do.
296	Feb. 10	Guy Johnson.....	—, Chihuahua.	Killed by bandits.....	Gibbon.
297	Mar. 1	E. J. Wright.....	Colonia Hernandez, Chihuahua.	Killed trying to defend baby and wife, who was carried off by bandits and outraged.	New York Times Mar. 9, 1916, Naporim.
298	...do...	Frank Hayden....	...do.....	Killed with Wright defending Mrs. Wright (cf. No. 297).	Do.

*American citizens killed and murdered by Mexicans—Continued.*

PERIOD OCT. 19, 1915, TO APR. 7, 1917—Continued.

## CIVILIANS—Continued.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References.
299	1916. Mar. 1	Edward H. Harris.	Sombrerete, Coahuila.	Killed by bandits.	New York Times, Mar. 2, 1916.
300	Mar. —	Unknown.	Boca Grande, Chihuahua.	Killed by Villa raiders bound for Columbus raid.	New York Times, Mar. 12, 1916.
301	Mar. 8	James Corbet.	Palomas ranch, Chihuahua.	Hanged and mutilated by Villa en route to Columbus.	New York Times, Mar. 9, 10, 24, 1916.
302	do.	James O'Neill.	do.	do.	Do.
303	do.	Arthur McKinney.	do.	do.	Do.
304	Mar. 27	Lee Lindsley.	Minaca, Chihuahua.	Killed by Villistas.	State.
305	do.	Frank Woods.	do.	do.	State; New York Times, Jan. 1, 14, 17, 27, 1916.
306	Mar. 30	Herman Blankenberg.	—, Chihuahua.	Killed by bandits.	Gibbon; Naporim.
307	Apr. 5	Frank Burk.	South Rosario, Tepic.	do.	State.
308	do.	Roderick Davidson.	do.	do.	Do.
309	do.	Walter Wallace.	do.	do.	Do.
310	Apr. 11	Don McGregor.	Minaca, Chihuahua.	Killed by Villistas.	Gibbon.
311	May 1	— Volner.	Mazatlan-Rosario, Sinaloa.	Volner and 4 American miners murdered by bandits.	New York Times, May 6, 1916.
312	do.	Unknown.	do.	do.	Do.
313	do.	do.	do.	do.	Do.
314	do.	do.	do.	do.	Do.
315	do.	do.	do.	do.	Do.
316	May 2	P. H. Holly.	El Rubio, Chihuahua.	Killed by Villistas for serving with Pershing expedition.	State; Naporim.
317	May 21	A. J. Stovall.	Tampico district.	Shot down by bandit.	Do.
318	June 20	A. R. Dixon (Dickson).	Cumpas, Sonora.	Killed by bandits trying to escape to United States.	New York Times, June 23, 26, 28, 1916; Naporim.
319	do.	James Parks.	do.	do.	Naporim; Times, June 23, 26, 28, 1916; State.
320	June 25	William Robertson.	Nacoziari, Sonora.	Killed by bandits.	New York Times, June 26, 1916.
321	do.	Tom Snyder.	do.	do.	Do.
322	Sept. 20	G. W. Morton.	Mexico City.	Killed by Carranza officer.	State.
323	Oct. 29	Dr. Chas. P. Fisher.	Santa Rosalia, Chihuahua.	Killed by Villa's order because he refused to deny his American citizenship.	State; New York Times, Nov. 5, 6, 7, 9, 14, 1916.
324	Nov. —	— Foster.	Torreon, Coahuila.	Mutilated and burned at the stake by Villistas.	Gibbon; New York Times, Dec. 8, 1916.
325	Nov. 5	James Juan Weeks.	Parral, Chihuahua.	Shot down in his home by Villistas.	State.
326	Nov. 6	Mrs. Arthur Williams.	—, Chihuahua.	Villistas killed Mrs. Williams. Her husband started for the border with their child and another American woman. Both the woman and child were killed by pursuing Villistas.	New York Times, Nov. 8, 1916.
327		— Williams (child).			
328		Unknown woman.			
329	Dec. 16	Howard L. Elton.	Oaxaca City, Oaxaca.	Executed by Carranza authorities despite United States protest.	State.
330	do.	Donald Bruce.	—, Guerrero.	Killed by Villistas.	Gibbon.
331	do.	Grover V. Varn.	—, Durango.	do.	Do.
332	"Before 1917."	Ernest Howell.	—, Mexico.	Murdered; data incomplete.	Do.
333	do.	George Anton.	do.	Mysteriously disappeared; data incomplete.	Do.
334	1917. Jan. —	Louis D'Antin.	San Luis Potosi, San Luis Potosi.	American citizen employed by Mexican Embassy in Washington, mysteriously died while on way to Mexico City with Ambassador Arredondo.	State; New York Times, Jan. 10, 11, 14, 16, 1917.



*American citizens killed and murdered by Mexicans—Continued.*

PERIOD OCT 19, 1915, TO APR. 7, 1917—Continued

CIVILIANS—Continued.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References. <sup>1</sup>
335	1917. Mar. 1	Lou Ziegler.....	Magistral, Durango	Killed by Villistas.....	New York Times; Mar. 16, 1917.
336	do.....	C. A. Winn.....	do.....	do.....	Do.
337	Mar. 23	J. D. Pilgrim.....	Chamal, Tamaulipas.	Killed by bandits.....	State; Napanim.
338	Apr. 1	Francisco Galeann	San Miguel, Guanajuato.	do.....	State.
339	Apr.-May	Albert J. Davies..	Lower California, Mexico.	Killed by Adrian Corona...	Do.
340	1916. Mar. 9	W. A. Davidson...	Columbus, N. Mex.	Killed in Villa raid.....	Gibbon; New York Times; Mar. 10-15, 1916.
341	do.....	Harry G. Davis...	do.....	do.....	Do.
342	do.....	J. S. Dean.....	do.....	do.....	Do.
343	do.....	Dr. H. M. Hart.....	do.....	do.....	Do.
344	do.....	Mrs. Milton James.	do.....	do.....	Do.
345	do.....	C. C. Miller.....	do.....	do.....	Do.
346	do.....	J. J. Moore.....	do.....	do.....	Do.
347	do.....	William T. Ritchie	do.....	do.....	Do.
348	do.....	Walton Walker.....	do.....	do.....	Do.
349	Mar. 10	Unknown.....	Osborn Junction, Ariz.	Killed by raiding Mexican bandits.	New York Times; Mar. 11, 12, 1916.
350	Mar. 22	do.....	Gibson ranch.....	2 men and a woman in auto party killed by Villistas.	New York Times; Mar. 25, 1916.
351	do.....	do.....	do.....	do.....	do.....
352	do.....	do.....	do.....	do.....	do.....
353	May 7	—, Compton...	Glen Springs, Tex.	Deaf mute killed by Villistas because he would not answer questions.	Gibbon; New York Times; May 8, 9, 10, 1916.
354	May 11	Curtis Payles.....	Mercedes, Tex....	Killed by raiding Mexican bandits.	New York Times; May 12, 1916.
355	June 27	William Parker...	Hachita, N. Mex...	Killed with his bride of 5 months by Mexican raiders	Gibbon; New York Times; June 26, 1916.
356	do.....	Mrs. Wm. Parker..	do.....	Killed with her husband (cf. No. 355).	Do.
357	June 31	Robert Wood.....	Fort Hancock, Tex.	Killed by raiding Mexican bandits.	New York Times; Aug. 1, 1916.

## UNITED STATES MILITARY FORCES.

466	1915	R. H. Ferguson, U. S. Army.	— border in United States.	Killed by shot across border.	Fall.
467	1916 Feb. 11	— U. S. Army.	Matamoros, Tamaulipas.	Drowned in fight with Carranza soldiers.	New York Times; Feb. 11, 1916.
468	do.....	do.....	do.....	do.....	Do.
469	Apr. 10	H. E. Kirby, U. S. Army.	Lajoya - Santa Cruz, Chihuahua	Killed by Villistas.....	War.
470	Apr. 12	Jay Richley, U. S. Army.	Parral, Chihuahua	Killed when Mexican residents of town attacked squadron of cavalry approaching on peaceful mission.	War; New York Times, Apr. 12, 1916.
471	do.....	R. Ledford, U. S. Army.	do.....	do.....	Do.
472	do.....	Ben. McGhee, U. S. Army.	do.....	do.....	Do.
473	Apr. 22	O. Bonshee, U. S. Army.	Tomochi, Chihuahua.	One of Dodd's troopers killed by Villistas.	War; State; New York Times; Apr. 27, 1916.
474	do.....	R. A. Ray, U. S. Army.	do.....	do.....	Do.
475	May 18	H. Furman, U. S. Army.	Juarez, Chihuahua	Shot by Carranza officials while tracing lost mules.	State; New York Times, May 1916.
476	May 25	D. Marksbury, U. S. Army.	Cruces, Chihuahua	Killed by Villistas on Pershing expedition.	War; State.
477	June 21	I. M. Laughter, U. S. Army.	Mazatlan, Sinaloa.	Killed by Carranza soldiers who fired on United States launch.	State; New York Times, July 6, 1916.

*American citizens killed and murdered by Mexicans—Continued.*

PERIOD OCT. 19, 1915, TO APR. 7, 1917—Continued.

UNITED STATES MILITARY FORCES—Continued.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	Reference.
478	1916.	Capt. C. T. Boyd, U. S. Army.			
479		Lieut. H. A. Adair, U. S. Army.			
480		James E. Day, U. S. Army.			
481		Will Hines, U. S. Army.			
482		C. Mathews, U. S. Army.			
483		T. C. Moses, U. S. Army.			
484	June 21	W. F. Roberts, U. S. Army.	Carrizal, Chihuahua.	{Officers and troopers of a scouting party of the Pershing expedition, ambushed and killed by Carranza forces.	War; State.
485		DeWitt Rucker, U. S. Army.			
486		Lee Talbott, U. S. Army.			
487		Wm. Ware, U. S. Army.			
488		Wm. Winrow, U. S. Army.			
489		W. C. Gleaton, U. S. Army.			
490	June 21	Unknown.....	do.....	{3 additional troopers killed at Carrizal, whose names are not in the War Department casualty lists.	{Gibbon; New York Times; June 22-July 15, 1916. Stat; War.
491					
492	Sept. 22	A. J. Watson, U. S. Army.	El Valle, Chihuahua.	killed by Carranza troops on Pershing expedition.	
493					
494					
495					
496					
497					
498		Unknown.....	Along the border.....	{1 officer and 10 men reported killed in action.	War.
499					
500					
501					
502					
503					
504	Mar. 9	J. P. Taylor, U. S. Army.	Columbus, N. Mex.	Killed by raiding Villistas...	Do.
505	do.....	M. A. Hobbs, U. S. Army.	do.....	do.....	Do.
506	June 21	Unknown.....	Carrizal, Chihuahua.	Killed by Carranza troops (may be duplicate No. 492).	State.
507	1915. Oct. 20	Martin Joyce, U. S. Army.	Ojo de Agua, Tex.	Killed by raiding Mexican bandits.	War; New York Times, Oct. 22, 1915.
508	do.....	H. McConnell, U. S. Army.	do.....	do.....	Do.
509	do.....	E. Shaffer, U. S. Army.	do.....	do.....	Do.
510	Nov. 1	H. J. Jones, U. S. Army.	Douglas, Ariz.....	Killed by Carrancistas firing across the border.	War; New York Times, Nov. 3, 4, 1915.
511	Nov. 26	S. Littles, U. S. Army.	Nogales, Ariz.....	do.....	War; New York Times, Nov. 25, 26, 27, 1915.
512	1916. Mar. 9	T. Butler, U. S. Army.	Columbus, N. Mex.	Killed in Villa raid.....	War.
513	do.....	M. A. Dobbs, U. S. Army.	do.....	do.....	War; New York Times, Mar. 10, 11, 1916.
514	do.....	F. A. Griffin, U. S. Army.	do.....	do.....	Do.
515	do.....	F. A. Kindvall, U. S. Army.	do.....	do.....	Do.
516	do.....	J. G. Nievergalt, U. S. Army.	do.....	do.....	Do.
517	do.....	Paul Simon, U. S. Army.	do.....	do.....	Do.
518	do.....	H. E. Wisewell, U. S. Army.	do.....	do.....	Do.

*American citizens killed and murdered by Mexicans—Continued.*

PERIOD OCT. 19, 1915, TO APR. 7, 1917—Continued.

## UNITED STATES MILITARY FORCES—Continued.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References.
519	1916. May 7	Wm. Cohen, U. S. Army.	Glenn Springs, Tex.	Killed by raiding Villistas...	War; New York Times, Apr. 8, 9, 10, 1916. Do.
520	...do....	S. J. Coloe, U. S. Army.	...do....	...do....	Do.
521	...do....	H. Rogers, U. S. Army.	...do....	...do....	Do.
522	June 16	C. Flowers, U. S. Army.	San Ignacio, Tex..	Killed by raiding Mexican bandits.	War; New York Times, June 17, 1916. Do.
523	...do....	E. C. Katonah, U. S. Army.	...do....	...do....	Do.
524	...do....	Jas. Minaden, U. S. Army.	...do....	...do....	Do.
525	...do....	Wm. Oberlies, U. S. Army.	...do....	...do....	Do.
526	July 31	J. J. Twomey, U. S. Army.	Fort Hancock, Tex.	...do....	War; New York Times, Aug. 1, 1916.

PERIOD APR. 7, 1917, TO SEPT. 30, 1919.

## CIVILIANS.

358	1917. May 10	Henry Bartning...	Bamoa, Sinaloa...	Murdered and robbed.....	State.
359	May 21	Hiram Collins.....	Cananea, Sonora...	Murdered by F. Ezpinoza...	Do.
360	May 22	Robert W. Robertson.	Colonia, Tamaulipas.	Killed but murderer unknown.	State; Naparim.
361	June 11-28.	James E. Landon.	Altamira, Tamaulipas.	Assassinated in plot to steal his estate.	Naparim.
362	Nov. 27	Lincoln L. Wieder.	Atascador, San Luis Potosi.	Killed by Carrancistas.....	State; Naparim.
363	Dec. —	Leo Sharp.....	Piedras Negras, Coahuila.	Killed by Mexican cattle thieves.	State; New York Times, Dec. 29, 1917. Do.
364	...do....	Clarence Sellers.	...do....	...do....	Do.
365	Dec. 6	Lee Rasmussen...	Esperanza, Sonora.	Killed by Yaqui Indians....	State.
366	1918. Jan. 3	Miguel Martinez...	Empalme, Sonora.	Killed when Yaqui Indians held up train and massacred passengers.	New York Times, Jan. 4, 1918.
367	...do....	Henderson G. Poe.	...do....	Killed by Yaqui with Martinez (Cl. No. 365).	State; New York Times, Jan. 4, 1918.
368	...do....	Ralph H. Snovall.	...do....	...do....	State.
369	Dec. 21	John M. Franklin.	Cabo Rojo I., Tamaulipas.	Killed by bandits.....	State; Naparim.
370	...do....	W. H. Rose.	...do....	...do....	Do.
371	Feb. 10	Richard Rushworth.	Mexico City.....	...do....	State.
372	Feb. 21	Edgar House.....	Chijol Canal, Tamaulipas.	Oil paymaster, killed by bandits.	State; Naparim.
373	Mar. —	Fred Tate.....	Brownsville, Tex..	Shot and killed by smugglers	War.
374	Mar. 16	A. D. Archuleta...	Pilares, Chihuahua	Killed at his mine.....	Naparim.
375	Mar. 24	Clara Castillo...	Neville's Ranch, Texas.	Killed by raiding Mexican bandits.	War.
376	Apr. 5	M. P. Dollar.....	Tampico, Tamaulipas.	Killed by Mexicans at instigation of Germans.	State.
377	...do....	Leonard Loris.....	...do....	...do....	Do.
378	May 30	Gustave A. Whiteford.	Las Cardas, Nayarit.	Killed by bandits after full ransom paid; incident of German plot to distract United States during war.	State; Naparim
379	1917. June 29	H. M. Cooper.....	Prieto Terminal, Tamaulipas.	Killed by bandits who raided oil station.	Do.
380	...do....	L. A. Dunn.....	...do....	...do....	Do.
381	...do....	Alfred E. Esparola	...do....	...do....	Do.
382	...do....	L. R. Millard.....	...do....	...do....	Do.
383	1918. July 10	Byron E. Janes...	El Tigre, Sonora...	Killed by Pedro Carbajal...	War; State.
384	July 13	Thomas Kingsbury.	— Chihuahua.	Disappeared, believed killed by bandits.	Naparim.

*American citizens killed and murdered by Mexicans—Continued.*

PERIOD APR. 7, 1917, TO SEPT. 30, 1919—Continued.

## CIVILIANS—Continued.

No on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	Reference.
385	1918. July 24	Unknown.....	Tampico.....	Porto Rican pipe line foreman killed by bandits.	Naparin.
386	July 31	Albert W. Stevenson.	.....do.....	Shot by bandits while opening safe at their demand.	State; Naparin.
387	Aug. 10	Samuel Brooks....	Ensenada, Tamaulipas.	Killed by bandits.....	State.
388	Aug. 12	Earl G. Austin....	Nacozari, Sonora..	Killed at his mine by bandits	State; Naparin.
389	Aug. 27	Gaston Reddoch..	Nogales, Ariz.....	Killed by Mexican Federal troops.	War.
390	Aug. 31	S. Austin.....	Tuxpam, Tamaulipas.	Killed by a robber.....	State.
391	Sept. 18	Benj. B. Weller..	Tampico.....	Killed by Carranza captain..	Do.
392	Nov. 21	Christian Heimsath.	Valles, San Luis Potosi.	Killed by bandits.....	State; Naparin.
393	Oct. 11	E. Timberlake....	Brownsville, Tex..	Killed by a Mexican smuggler.	War.
394	Oct. 14	Harlow C. McLeod	Mexico City.....	Killed by A. Alvarez.....	State.
395	Oct. 18	George Skinner....	Estancia, Mexico..	Killed by bandits.....	Do.
396	Nov. 8	Jim Perkins.....	Fabens, Tex.....	Killed by unknown Mexican.	War.
397	Nov. 13	Mrs. W. H. Keenright.	— Chiapas.....	Starved to death while held prisoner by Zapatistas with daughter and son-in-law, Dr. and Mrs. Sturgis	Naparin.
398	Nov. 22	William W. Blood.	Vera Cruz, Vera Cruz.	Killed by robbers.....	State.
399	Dec. 15	Alfonso Leiva.....	Agua Prieta, Sonora.	Killed by Carranza authority.	Do.
400	.....	Unknown.....	— San Luis Potosi.	Killed by Carrancistas.....	New York Times Aug. 27, 1918.
401	1919. Jan. 17	Toribio Rodriguez.	Ranchito, Mexico.	Killed by bandits who claimed to be river guards.	War.
402	Mar. 15	Oscar Wallace.....	Progreso, Coahuila	Killed by Carrancista major and 2 other Mexicans.	State; Naparin.
403	Apr. 8	Edward E. Morgan	Chivela Estate, Oaxacala.	Murdered by bandits.....	Do.
404	Apr. 12	Clarence Childers..	El Paso, Tex.....	Immigration inspector killed by Mexican smugglers.	War.
405	Apr. 18	Edward L. De-fourcq.	Teztlutlan, Puebla.	Killed by Zapatistas.....	State; Naparin.
406	Apr. 28	Frank P. Gorham..	Chamal, Tamaulipas.	Cut to pieces by bandits....	Do.
407	May —	Wm. Devote (To-vote).	Batuco, Sonora....	Killed by Yaquis.....	Do.
408	May 8	Ira W. Hill.....	Near Laredo, Tex.	Killed by Mexican smugglers.	War.
409	.....do.....	Charles L. Hopkins.	.....do.....	.....do.....	Do.
410	May 22	H. S. White.....	La Cercada, Sonora	Shot from ambush by bandits.	State; Naparin.
411	June 1	Miguel Otto.....	.....do.....	Mutilated and killed by Yaquis.	Naparin.
412	June 15	Floyd Hinton.....	El Paso, Tex.....	Killed by shots from across border.	War.
413	.....do.....	Ed. F. McClaren..	Juarez, Chihuahua	Killed by Villistas.....	State; Naparin.
414	June 16	John W. Correll...	Colonia, Tamaulipas.	Killed by bandits said to be Carrancistas when he tried to protect his wife from outrage.	Do.
415	July 1	Leroy Moye.....	Tampico.....	Killed by bandits thought to be Carrancista soldiers who raided oil camp.	Do.
416	July 4	Hiram Hughes.....	.....do.....	Killed by Carranza policeman.	Do.
417	July 7	Peter Catron.....	Valles, San Luis Potosi.	Killed by bandits affiliated with Carrancistas.	Do.
418	July 22	Unknown.....	Paredon, Puebla..	American girl kidnapped from train by rebels and repeatedly outraged until she died.	Do.
419	July 31	R. A. Cunningham.	La Paloma, near Matamoros, Mexico.	Killed by unknown bandits.	War.
420	Aug. 28	Adam Schaefer....	Pinos, Zacatecas...	Killed by bandits.....	Naparin
421	Aug. 30	H. S. McGill.....	Coapa, Chiapas....	Shot from ambush by bandits.	Do.

*American citizens killed and murdered by Mexicans—Continued.*

PERIOD APR. 7 TO SEPT. 30, 1919—Continued.

## CIVILIANS—Continued.

No. on map.	Approximate date.	Name or identification.	Where killed.	Remarks.	References.
422	1919. Sept. 2	A. P. Hennessey...	La Colorada, Sonora.	Shot from ambush by Yaquis.	New York Times, Sept. 5, 1919.
423	1917. Dec. 25	Michael Welch....	Candelaria, Tex...	Killed by raiding Mexican bandits.	New York Times, Dec. 26, 1917; Naparim.
424	Dec. 29	Gordon Parmelee	Llano Grande, Tex.	.....do.....	War; New York Times, Dec. 30, 1917.
425	1918. Mar. 5	Ulysses Meek.....	Esperanza, Sonora	Killed by Mexican troops...	State.
426	Aug. 27	Gaston Redlick...	Nogales, Ariz.....	Killed by Mexican mob (may be duplicate No. 389).	New York Times, Aug. 28, 29, 30, 1918.
427	Dec. 28	Glenn Neville.....	Valentine, Tex....	Killed by raiding Mexican bandits.	New York Times, Mar. 30, 1918; Naparim.

## UNITED STATES MILITARY FORCES.

527	1917. Dec. 26	Unknown.....	——, Chihuahua.	Killed in pursuit of raiding Mexican bandits.	New York Times, Dec. 27, 1917.
528	Dec. 2	A. A. Riggs, U. S. Army.	Buena Vista, Chihuahua.	.....do.....	War; New York Times, Dec. 3, 4, 1917.
529	1918. June 9	Lieut. D. J. Chaille, U. S. Army.	Matamoros, Tamaulipas.	Killed by Carranza soldiers.	State; New York Times, June 11, 1918.
530	Jan. 8	— McGuigan, U. S. Army.	La Grulla, Chihuahua.	Killed pursuing raiding Mexican bandits.	State.
531	Mar. —	J. D. Blount, U. S. Army.	Juarez, Chihuahua	Assassinated by Mexican....	Do.
532	Dec. 28	T. K. Albert, U. S. Army.	Pilares, Chihuahua	Killed pursuing Mexican raiding bandits.	War; State.
533	1917.	Unknown.....	Along the border.	Soldier reported killed in action.	War.
534	.....	.....do.....	.....do.....	.....do.....	Do.
535	.....	.....do.....	.....do.....	.....do.....	Do.
536	.....	.....do.....	.....do.....	.....do.....	Do.
537	.....	.....do.....	.....do.....	.....do.....	Do.
538	.....	.....do.....	.....do.....	.....do.....	Do.
539	.....	.....do.....	.....do.....	.....do.....	Do.
540	.....	.....do.....	.....do.....	.....do.....	Do.
541	.....	.....do.....	.....do.....	.....do.....	Do.
542	1918. Aug. 27	J. D. Hunzertford (captain, U. S. Army).	Nogales, Ariz.....	Killed by Mexican mob....	New York Times, Aug. 28, 29, 30, 1918; Naparim.
543	Dec. 27	David Troih, U. S. Army.	El Paso, Tex.....	Killed by Carranza lieutenant.	War; State; New York Times, Sept. 13, 1919.
544	Apr. 15	T. F. Atkinson, U. S. Army.	——, Tex.....	Shot by Carranza major across the border.	War.
545	Aug. 27	Luke W. Loftus...	Nogales, Ariz.....	Killed in skirmish with Mexican Federal troops.	Do.
546	.....do.....	Bernard Lots.....	.....do.....	.....do.....	Do.
547	.....do.....	Frank L. Whitworth.	.....do.....	.....do.....	Do.
548	1919. June 15	Sam Tusco.....	El Paso.....	Killed by shots from across the border.	Do.
549	Aug. 21	Lieut. C. H. Connelly, U. S. Army.	Bahia Los Angeles, Lower California.	Murdered and robbed by Mexicans when dying of starvation after losing his way on aeroplane border patrol.	New York Times, Oct. 3, 1919; War.
550	.....do.....	Lieut. F. B. Waterhouse, U. S. Army.	.....do.....	Killed with Connelly (cf. 549).	Do.

*American citizens killed and murdered by Mexicans—Continued.*

## RECAPITULATION.

Recapitulation of index map accounting for the killing of 550 Americans, soldiers and civilians, in Mexico and by Mexicans on the American side of the United States-Mexican border, between November 20, 1910, and September 30, 1919.

	Americans killed by Mexicans—			
	In Mexico.		In the United States.	
	Civilians.	United States military forces.	Civilians.	United States military forces.
				Total.
First period, 41 months, from November 1910, to April, 1914—Madero-Huerta period of responsibility.	* 143	2	18	167
Second, third and fourth periods, 53 months, April, 1914 to October, 1919—period of Carranza responsibility.				
	277	21	12	13
	* 387	28	19	33
	458	8	12	16
Total.	222	57	44	64
Grand total.	365	59	162	64
				550

\* Nos. 147, 148, 149, and 150, carrying a first-period symbol and tabulated in the first period, should appear with third-period symbols and be tabulated in the third-period group.

<sup>1</sup> Includes 1 case of Americans kidnapped in the United States and murdered in Mexico.

## NOTES.

## [Authorities.]

Gibbon: Mexico Under Carranza, by Thomas E. Gibbon, 1919, p. 248, et seq.

Gibbon revised: Revised list prepared by Thomas E. Gibbon.

Fall: List of Americans killed in Mexico read in the Senate by Hon. Albert B. Fall, of New Mexico, Mar. 9, 1914.

State: This reference includes the three following lists. In some instances murders attributed to "State" appear on two or all of these lists: List prepared in the United States Department of State and printed in Senate Document No. 324, Sixty-fourth Congress, first session, Feb. 17, 1916; list prepared in the United States Department of State and printed in Senate Document No. 67, Sixty-sixth Congress, first session, July 31, 1919; list prepared in the Department of State and submitted to the House Committee on Rules by Hon. Henry P. Fletcher, United States Ambassador to Mexico, July 22, 1919. Cf. Part I, printed hearings on House Joint Resolution 124, Sixty-sixth Congress, first session.

War: Casualty lists of War Department covering entire period excepting between Oct. 1, 1916, and Feb. 14, 1917.

New York Times: Information in the New York Times (newspaper) in dates indicated in the tabulation.

Naparin: Letters, claims, and other information of a specific character in the files of the National Association for the Protection of American Rights in Mexico, 347 Fifth Avenue, New York City.

One officer and 20 enlisted men, carried without names, and not included in the War Department casualty lists, are referred to in the report of The Adjutant General of the Army, 1917. They are presumed to have been killed in the period Oct. 1, 1916, to Feb. 14, 1917, for which no more specific information as to Army Mexican casualties is available.

Apz: Accompanying symbol or group of symbols indicates that the cartographer was unable to more than approximate the locality in the State in which the murder was committed.

There are indexed on the map five murders which may be duplications. In each of these cases the possible duplication is indicated in an accompanying note.

Mr. KEARFUL. Have you more complete data than that which is shown on the tabulation which you can leave with the committee for the purpose of verification if necessary?

Mr. SARTWELL. The tabulation was made up from a loose-leaf index compiled from the various lists which I have mentioned. This index is in somewhat more complete and extended form than the tabulation which I have placed in the record. It shows as to each

case the name of the victim, the number as shown in the tabulation, the location of the killing, the date approximately, and wherever possible the person or persons responsible for the killing. It also shows in each case the list or lists which are authority for each killing. In many cases this loose-leaf index gives a rather complete account of the killing and of the circumstances surrounding it.

Mr. KEARFUL. What information have you with reference to killings occurring since the date when the map was completed?

Mr. SARTWELL. Since the map was completed we have come into possession of information as to the death of Eugene Lack at El Centro, Calif., November 18, 1919, after he had been shot by a Mexican policeman at Mexicali, just across the border in Mexico. This brought the death list up to 551.

Mr. KEARFUL. What, if anything further, have you to say in explanation of the matters to which you have heretofore testified that would be of interest?

Mr. SARTWELL. In 3 of the 550 cases listed on the map the authorities cited reported the punishment of those charged with the murder. For the murder of Mrs. Anderson, her daughter, and an American boy in Chihuahua on June 22, 1911, the murderers served six months in prison and were then released.

The Madero authorities executed two Mexicans for the murder of W. H. Waite, who was killed at Ochotal, Vera Cruz, on April 4, 1912. A Huerta lieutenant and sergeant were reported executed for the killing of Frank Smith at Tampico on January 26, 1914.

The map shows the killings of 18 American women and 10 American children. Thirteen American men are listed as having been killed in their efforts to protect women.

In connection with the deaths listed 8 American women, according to the authorities cited, were outraged.

Mr. KEARFUL. Were any punishments visited upon the perpetrators of these murders and outrages during the period covering the régime of Carranza?

Mr. SARTWELL. None. The three cases where punishments were reported were prior to January 26, 1914.

There is one significant incident shown on the map. On May 30, 1918, Gustave A. Whiteford, an American citizen, was killed, presumably by bandits, in the State of Nayarit. He was carried off and held for ransom, and a finger cut off from one of his hands was sent to his friends with the demand for money. Repeated attempts were made to steal the ransom payments which were delivered to the bandits by his friends, and Whiteford was finally murdered in cold blood after the ransom had been paid in full. The authorities cited declare that the whole Whiteford incident was planned by German alien enemies who sought to hamper or distract the United States in its prosecution of the World War. The story of Whiteford's death was suppressed in the United States while the World War was on.

Mr. KEARFUL. By whom was it suppressed?

Mr. SARTWELL. It was suppressed by the Committee on Public Information, which at that time was in charge of all publicity matters for the Government—at the request of the Committee on Public Information under the voluntary censorship agreement with the press of the United States.

It might be said that in numerous instances the murders were attended by great brutality and in many cases by torture and mutilation as, for instance, William Bishop, Carl Eck, and William Spencer, who were killed by bandits under Jose Perez at Temosachic, Chihuahua, in 1914, were dragged to death by wild horses.

John Glenn Parmenter at Guadalajara, Jalisco, was murdered by bandits who, after killing him, tore his teeth from his head to secure the gold fillings.

Maurice McDonald, an American soldier of fortune who was with Villa, was captured by Carrancistas at San Pedro de las Colonias, Coahuila, in April, 1914. The soles of his feet were cut off and he was forced to walk about the plaza. He was then burned at the stake until his legs had been completely consumed. Finally he was shot.

In many instances the men killed carried American passports and in various instances men were killed after the United States learning that they were held by Mexican factions or bandits had protested against their detention.

When James S. Beard was captured by Mexican revolutionists under Gen. Benjamin Argumedo at Parras, Coahuila, May 11, 1914, he produced his American passport. Argumedo ordered the passport pinned to Beard's breast and used as mark by the firing squad that executed him on the spot.

In many cases the authorities cited assert that the men were killed because they were Americans or because the murderer wished to show that he could kill an American with impunity.

Mr. KEARFUL. I understand you have not included in this list the murders of the nationals of any other country than the United States?

Mr. SARTWELL. That is correct. The list includes only nationals of the United States in cases where the nationality could be clearly and plainly established.

Mr. KEARFUL. In that connection for the record I will quote from a report by Secretary Lansing, dated December 3, 1919, to the President and submitted by the President to the Senate (S. Doc. No. 165, 66th Cong., 2d sess.), in which Secretary Lansing states that—

The number of nationals of other countries than the United States who have been killed in Mexico since President Diaz resigned, as gathered from reports of the representatives of this Government in Mexico, is 927, as follows: Chinese, 471; Spanish, 209; Arabs, 111; British, 38; Italian, 16; French, 14; Japanese, 10; miscellaneous, 58.

In this connection it is of interest to note the large number of Chinese and Americans killed and the small number of British, French, and Japanese, and also that no Germans are reported to have been killed.

For the record I also will quote from a letter from the Acting Secretary of State to the chairman of this committee, dated October 31, 1919, in which he says:

I have the honor to inform you that reports received by this department from all the consulates in Mexico show that approximately 31,707 American citizens were in Mexico when President Diaz retired from the presidency of that country, and that approximately 8,862 American citizens were in Mexico in September, 1919.

Is there anything further, Mr. Sartwell?

Mr. SARTWELL. There is one question of the War Department casualty list of officers and men killed on the border that might be



cleared up. The casualty lists do not list men apparently who were killed on the border or in Mexico between the dates October 1, 1916, and February 14, 1917, but on inquiry at the War Department our association discovered that The Adjutant General's office report for August, 1917, showed 1 officer and 20 enlisted men killed during the period from July 1, 1916, to June 30, 1917. These 21 unnamed members of the military forces have been included on the map and may be in some part duplications. They rest, however, upon the authority of a letter to the association from R. I. McKenney, lieutenant colonel of the General Staff, dated August 22, 1919.

I want to say that this material has all been submitted to the State Department for the information of the department.

Is there anything else you want to ask?

Mr. KEARFUL. I think not. We are much obliged to you.

(Witness excused.)

#### STATEMENT OF WILLIAM J. McGAVOCK.

Mr. KEARFUL. Will you state your full name?

Mr. McGAVOCK. William J. McGavock.

Mr. KEARFUL. How old are you?

Mr. McGAVOCK. Seventy.

Mr. KEARFUL. How long have you been acquainted with Mexico?

Mr. McGAVOCK. Since 1881.

Mr. KEARFUL. What was your business in Mexico?

Mr. McGAVOCK. Railroad contractor.

Mr. KEARFUL. In what parts of the country?

Mr. McGAVOCK. Why, pretty much all over it. I commenced first at Laredo, then to Monterrey, and up the Tampico branch of the Central, then as far down as the Isthmus of Tehuantepec.

Mr. KEARFUL. Are you one of those American citizens about whom we have often heard who went to Mexico for the purpose of exploiting the Mexican peons?

Mr. McGAVOCK. I suppose I am.

Mr. KEARFUL. We have sometimes heard from high official quarters that Americans operating in Mexico were not entitled to the protection of this Government or to any special consideration, because they went to that country and were engaged in exploiting the natives of that country to the detriment of the natives and for their own particular benefits. What can you say on that subject?

Mr. McGAVOCK. Well, my idea is that we were there to build it up and not exploit them—build up their country. We built their railroads, and we opened their mines—a great many of them—introduced the modern improvements in the mines there.

Mr. KEARFUL. According to your observation, what has been the effect upon the laboring classes of Mexico of the enterprise of Americans and other foreign capitalists who operated there?

Mr. McGAVOCK. When I first went to Mexico the Mexican peons on the haciendas were being paid from 1½ reales to 3 reales (real=12½ cents) a day, and now they are getting from \$2.50 to \$3 a day; that is, in parts of the country; that is, the parts exploited by Americans. In their tobacco district they are paying \$3 a day to-day.

Mr. KEARFUL. What, if any, material progress have you noted among the Mexicans due to the operations of foreign enterprise in Mexico?

Mr. MCGAVOCK. The peon classes are very much improved over what they originally were; they live better, and they dress better, and they have some education; they have been able to send their children to school, being able to make more money, and not having to work their children when they are too young.

Mr. KEARFUL. What is the attitude of the laboring classes toward American and other foreign operators in Mexico as compared with their attitude toward Mexicans by whom they are employed?

Mr. MCGAVOCK. Very favorable to the Americans.

Mr. KEARFUL. Do they prefer to work for Americans than for their own people?

Mr. MCGAVOCK. They prefer to work for Americans.

Mr. KEARFUL. Did you ever hear of any complaints made by Mexicans as to the treatment accorded to Mexicans by American employers?

Mr. MCGAVOCK. I never did.

Mr. KEARFUL. Did you never hear complaints by Mexicans that Americans treated their employees too well and gave them too much liberty?

Mr. MCGAVOCK. Yes; I have heard something of that, that they objected to them treating them so well and raising their wages. In fact, the hacendados were very much opposed to our building railroads there for that very reason. We paid the peons better wages and got them away from the haciendas.

I suppose you know when peonage was abolished by the constitution they had a labor law that they could hold them for debt, which amounted to the same thing as peonage. As long as a man was in debt to his employer he was a peon.

Mr. KEARFUL. And the idea is when the Americans came in and gave them an opportunity to get out of debt they could release themselves from this peonage system?

Mr. MCGAVOCK. Yes, sir.

Mr. KEARFUL. And that actually happened?

Mr. MCGAVOCK. And that actually happened in a great many instances.

Mr. KEARFUL. How long has it been since you were in Mexico?

Mr. MCGAVOCK. I left there on the 24th of November, 1919, I guess it was.

Mr. KEARFUL. I have here a propaganda pamphlet very recently issued by the League of Free Nations Association, of New York City, which contains among other things a letter to the Evening Post, dated November 26, 1919, by G. B. Winton, a minister of the gospel, who says:

I spent this recent October in Mexico. The country is prosperous and at peace.

And again:

On the basis of personal knowledge I assert again that Mexico is prosperous, and, except in a few retired and unimportant sections, peaceful.

What can you say with reference to the assertion that the country is prosperous and at peace?

Mr. McGAVOCK. It is not true; it is neither prosperous nor at peace.

Mr. KEARFUL. What portion of Mexico has recently come under your observation in reference to that point?

Mr. McGAVOCK. The State of Chiapas and the State of Mexico.

Mr. KEARFUL. Please give a description of the conditions in Mexico as you observed them, with reference to the state of prosperity and peace.

Mr. McGAVOCK. Shall I state about Chiapas first?

Mr. KEARFUL. If you please.

Mr. McGAVOCK. As there are very few Americans there it will probably be more interesting to you. I got to Jalisco on the Pan American Road on the 1st of November, 1917. I wanted to go into the interior to Tuxtla Gutierrez, but they would not let me leave until an escort went with the mail. I stayed four days in Jalisco for the escort and we started out at noon on the 4th of November. That night we camped with the escort. By the way, we all went in ox carts. I was going to buy a horse there to ride through but I was advised not to do so as the rebels might take it away from me, so we went in ox carts. With the escort I counted 83 ox carts, some loaded and some empty; principally loaded.

The second night we camped again with the escort but many of the carts, especially the heavily loaded ones, were scattered out probably for 10 miles back and only a few of us kept up with the escort. At 11.40 at night the carters woke us up and said that the escort had left. We got a cup of coffee and left as quick as we could after the escort, but we never overtook them and we traveled all night, leaving the direct road and taking a cut-off, and at 9 o'clock in a little town where we spent the day we got a report that the carts had been held up and robbed behind us and behind the escort. The escort got through and we got through without being molested, but there were 39 of the carts robbed of all their goods. The bandits had a pack train and packed away all the goods they could.

From Jalisco to Tuxtla Gutierrez is 132 kilometers through a very rich country. The first day after crossing a range of mountains we got into very beautiful valleys which were highly cultivated and very rich. Every 4 or 5 miles there would be a big hacienda with probably 50 to 100 peon houses, a fine hacienda residence and peon houses all well built and all tile roofed, but we found every one deserted. Occasionally there would be one or two peon families in some of the houses, but the owners were all gone, every one of them.

Mr. KEARFUL. What was the condition of the houses?

Mr. McGAVOCK. The houses were not destroyed. The furniture was taken but the houses themselves were not destroyed.

Mr. KEARFUL. What was the condition of the fields?

Mr. McGAVOCK. The fields were none of them cultivated. There were a good many fields of henequen there gone to seed, the stalks were growing up 30 or 40 feet high.

Mr. KEARFUL. Henequen is a crop which needs constant attention and careful cutting in order to get the best results?

Mr. McGAVOCK. Yes; it has to be cut at the proper time. Three years previous to that the Chiapanecos had not been in revolution at all; they did not join the Madero revolution or the Huerta revolution; they went on and paid their taxes and attended to their busi-

ness and, in fact, they do not consider themselves real Mexicans, but Chiapanecos. They were an independent State at one time and they never amalgamated freely with the Mexicans. I have heard many of them say they were not Mexicans, they were Chiapanecos.

Carranza sent an army down there of 3,000 or 4,000 men, raided these haciendas, drove the hacendados into the mountains, afterwards caught some of them, and some they hung and some they shot, which drove their friends into revolution. When they reached Tuxtla Gutierrez the first thing they did was to tear down the church. There was a beautiful church on the plaza. They tore off the roof and tore out one side. They desecrated the churches in the other large cities, but did not tear them down, I understand. In that way they drove all the people to revolution. But the trouble with them is they don't act in harmony. There are three or four different bands there. If they would join together, they could very soon drive the Carrancistas out, but they don't. There are three or four different bands there operating separately. There is one leader there—Caly Mayor—who took an American dentist—Dr. Carl Sturgis—prisoner while I was down there; took him and his wife and mother-in-law, Americans, and I understood from a Frenchman who had met them that they were from Virginia, but that I am not sure of. I understand he first tortured them; he thought they had some hidden money; tried to make them give up the money, and afterwards took them to camp. The first day they walked them on foot and they gave out, and the second day they gave them some old horses to ride and took them to their camp, and, as far as I know, Sturgis is there yet. I saw a small article in a paper some months ago that Mrs. Sturgis had got away and was on her way to the States, and had reported that her mother had died of starvation and deprivation in the camp and her husband was still there.

Mr. KEARFUL. Mrs. Sturgis is here in Washington and will appear before the committee.

Mr. MCGAVOCK. She is here?

Mr. KEARFUL. Yes. What condition did you observe in the City of Mexico?

Mr. MCGAVOCK. In Mexico City everything is quiet and apparently normal there. One in the city would not realize there was any trouble. The people act there in the natural way.

Mr. KEARFUL. What sort of business is being conducted in Mexico City?

Mr. MCGAVOCK. The usual business, on a small scale.

Mr. KEARFUL. Is it the sort of business that is necessary to supply the needs of the inhabitants?

Mr. MCGAVOCK. Supply the needs of the people, that is all; yes.

Mr. KEARFUL. Is there a large population in Mexico City now?

Mr. MCGAVOCK. Very large.

Mr. KEARFUL. What is the reason for that?

Mr. MCGAVOCK. People coming in from the haciendas and the small towns. In fact, nearly all the best people of Chiapas are up there. Nearly all the hacendados have moved their families to the City of Mexico.

Mr. KEARFUL. Is that because of lack of protection in the outlying districts?

Mr. MCGAVOCK. Because of lack of protection on the haciendas and in the small towns they flocked to Mexico City for protection. The population is about double the normal.

Mr. KEARFUL. These refugees from the outlying districts are not engaged in any business in Mexico City, are they?

Mr. MCGAVOCK. No, sir; just living there. That makes business very good for many of the retail houses there, because they have all got money.

Mr. KEARFUL. We frequently hear that American capitalists and American interests in Mexico have engaged in a conspiracy to force armed intervention in Mexico by the United States. Have you had occasion to note the sentiments of Americans operating in Mexico with reference to intervention by this country? If so, please state what you have observed.

Mr. MCGAVOCK. The majority of Americans in Mexico, in my opinion, would rather see some settlement without intervention if it can be done. They do not want intervention. If matters can be settled in any other way they do not want intervention, but few of us can see how they are going to settle it without intervention.

Mr. KEARFUL. What is your opinion as to the method of settlement that will be necessary?

Mr. MCGAVOCK. My opinion is it never can be settled without intervention.

Mr. KEARFUL. When you say intervention, just what do you mean?

Mr. MCGAVOCK. Well, I mean intervention by the United States or by a combination of powers; armed intervention.

Mr. KEARFUL. Do you mean that it will be necessary to take over the country and establish peace and order and effective and stable government by the Mexicans?

Mr. MCGAVOCK. I believe what should be done, what eventually will be done, that the United States, or the United States combined with the allied countries, will send forces in there and do somewhat like they did in Cuba, settle the country; settle the bandit question first, which could be easily done now. With our aeroplanes and everything of that kind we can soon rout out the bandits that used to hide in the mountains and give so much trouble. But the only thing those people would respect is strength, and you have got to show them the strength before you can ever conquer them.

Mr. KEARFUL. What do you find the feeling to be among Mexicans by reason of the policy of this Government in failing to protect its citizens in Mexico?

Mr. MCGAVOCK. Well, the upper class of Mexicans are very anxious for intervention.

Mr. KEARFUL. Did you find any feeling of hostility toward Americans among Mexicans in general, and, if so, to what was that due?

Mr. MCGAVOCK. The resentment against Americans in general was due to the intervention of the United States, armed intervention, as far as it went, and no good only to aggravate the people; the landing at Vera Cruz and the Pershing expedition into Mexico. It only aggravated the people and made them very bitter toward Americans. Up to the time of the Vera Cruz incident there was no personal feeling—there has always been a general feeling against the Americans ever since the war of 1847, but individual feeling, no.

Mr. KEARFUL. How do you account for the sentiment among the better class of Mexicans in favor of intervention?

Mr. MCGAVOCK. Why, they fail to see where they can ever get a stable government from the people that are now armed in Mexico. You understand there is a very small per cent of the Mexicans there controlling the country.

Mr. KEARFUL. What class of Mexicans is it that controls the country?

Mr. MCGAVOCK. Well, it is what you might call the middle class, those with a little education but not much as a rule.

Mr. KEARFUL. Are they the best class in Mexico?

Mr. MCGAVOCK. By no means.

Mr. KEARFUL. Why is it, if you know, that the better class of Mexicans have not been able to control the country?

Mr. MCGAVOCK. Well, that is a very hard question to answer. In the beginning, those that control the army control the country.

Mr. KEARFUL. Do you think that the American support of Villa and Carranza had anything to do with it?

Mr. MCGAVOCK. No; I don't think so. If it had not been them it would have been somebody else. You must consider that Mexico now is in a normal condition; it was abnormal during the time of Diaz. They had peace during thirty-odd years, but prior to Diaz's time in 60 years they had 61 Presidents and 2 Emperors. I believe that is the record and they are trying to break it now and they certainly will if this condition lasts for another 50 years.

Mr. KEARFUL. You do not consider it likely that another régime such as that of Porfirio Diaz might be established in Mexico?

Mr. MCGAVOCK. It might be possible that another man would appear like Porfirio Diaz, but it took a long time to find him—about 400 years. And even if Porfirio Diaz lived to-day it might be very hard for him to control it, because the conditions are so different than they were in his day.

Mr. KEARFUL. Is there anything further of interest that you think of?

Mr. MCGAVOCK. No; I do not think of anything.

Mr. KEARFUL. We are very much obliged to you.

(Whereupon, at 3.25 o'clock p. m. the committee adjourned to Tuesday, December 30, 1919, at 11 o'clock a. m.)



# INVESTIGATION OF MEXICAN AFFAIRS.

**TUESDAY, DECEMBER 30, 1919.**

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,  
*Washington, D. C.*

Testimony taken at Washington, D. C., December 30, 1919, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate:

## **TESTIMONY OF MICHAEL J. SMITH.**

Mr. KEARFUL. Please state your full name.

Mr. SMITH. Michael J. Smith.

Mr. KEARFUL. What is your present address?

Mr. SMITH. 27 Cedar Street, New York.

Mr. KEARFUL. What is your business?

Mr. SMITH. Hemp merchant.

Mr. KEARFUL. You have been requested to come before the committee investigating Mexican affairs for the purpose of giving a picture of the conditions that have existed in Yucatan with special reference to the hemp industry from the beginning of that industry up to the present time. Will you proceed with the statement in your own way with relation to that subject and then I will ask you some questions as you proceed.

Mr. SMITH. Yucatan is one of the States of the Mexican Republic with a population of about 300,000 and an area of about 22,000 square miles; its capital is Merida, with a population of about 60,000.

Yucatan is a sterile country; its soil is unable to produce anything in large quantity with the exception of henequen.

Henequen was first exported from Yucatan to the United States in about 1864 or 1865, but the industry did not assume large proportions until about 1880, when henequen fiber was brought into use for the purpose of the manufacture of binder twine. From 1880 onward the industry developed rapidly, due to the increase in the consumption of henequen in the grain binders. The price of the fiber averaged from 2½ cents a pound to about 6 cents per pound in New York.

The people in Yucatan were rather primitive. Their mode of living was not elaborate, and the price which they obtained for their henequen was sufficient to enable them to prosper gradually.



In 1898, when the Spanish-American War broke out, the price of fiber advanced rapidly. The supplies of Manila hemp were interrupted on account of the war conditions in the Philippine Islands, and that caused an advance in the price of henequen to about 10 or 12 cents a pound. That sudden advance in the price brought great wealth to Yucatan and it immediately took first rank among the Mexican States.

Shortly after 1900 the State of Yucatan showed very rapid strides in education, sanitation, and in the general improvement in the well being of the people. That very high price, which was high at that time, brought about a boom in Yucatan and the usual consequences of a boom followed, so that there were from 1907 until 1911 a few mild panics brought about by speculation and overextension not only by the banks but by various commercial firms.

MR. KEARFUL. What has been the condition in Yucatan during the period you speak of with reference to order and stable government?

MR. SMITH. There never was any disorder in Yucatan during that period. They are law-abiding people; they obey the laws. Life and property were as safe in Yucatan during that period as they would be in the United States.

MR. KEARFUL. Did they join the revolution against Porfirio Diaz?

MR. SMITH. They did not.

MR. KEARFUL. Did they submit to the rule of Madero?

MR. SMITH. Yes; just as soon as any change was brought about in the government in Mexico City the central Government would send its representative or would appoint a governor to rule Yucatan and the Yucatan people accepted each of the various governors which the succeeding factions which obtained control in Mexico City would send them. They made no resistance to any of them; they accepted Huerta, and they accepted Madero, and they accepted Carranza.

MR. KEARFUL. Has that attitude of the people of Yucatan ever changed?

MR. SMITH. It did change in 1915. Carranza sent as his first governor to Yucatan a man named Eleuterio Avila, who arrived in Yucatan the latter part of 1914. The Yucatan people accepted Gov. Avila's régime without exception.

His first act was to impose forced loans on the planters and merchants of Yucatan for several million pesos. These forced loans were promptly paid and went to the Carrancista treasury. In a short time, however, political jealousy broke out among the Carrancistas and Avila was recalled to Mexico City. Gen. Toribio de los Santos was appointed by Carranza as acting governor in place of Avila. De los Santos ruled Yucatan in such a manner as to arouse the hostility of the people of the State. He made arrests of the leading citizens, exacted further payments of moneys, and was guilty of outrages on the inhabitants, which brought matters to a head in about six weeks after he went into power.

In February, 1915, a small uprising occurred in one of the interior towns, and De los Santos sent Col. Abel Ortiz Argumedo to suppress the movement. Argumedo, however, when he arrived at the point of disorder immediately joined the rebels and sent word

back to De los Santos that he would march on Merida and drive De los Santos out of the country. De los Santos fled to Campeche, and Argumedo entered Merida and took possession of the State capital and the government of the State.

The citizens were much relieved at being rid of De los Santos and welcomed the Argumedo régime, feeling that it promised them relief from the outrages which De los Santos had been perpetrating. They had no idea of breaking away from the Carranza Government, and they organized a meeting in the palace at Merida at which they drew up a message to Carranza advising him that the uprising was not directed in any way against his Government but was due to the outrages of De los Santos. They promised adherence to the Carranza Government, offered to continue payment of taxes and duties as theretofore, and merely asked to be allowed to name their own governor or to have Carranza send them a governor who would not treat them in a brutal manner. Carranza never replied to the message, but he sent Gen. Salvador Alvarado with 7,000 or 8,000 troops to Yucatan to wrest possession of the government from Argumedo.

Alvarado and his army landed at Campeche and marched from Campeche into Yucatan. Alvarado sent announcements ahead of him saying that he would come into Merida through blood and fire, and caused such a state of terror in the city of Merida that many of the Yucatecos who had the means of getting away left before Alvarado's arrival. They left in freight boats, sailing vessels, or any other means of conveyance they could find.

MR. KEARFUL. Please describe what he did to carry out his doctrine of blood and fire.

MR. SMITH. When he approached the center of the State he encountered a small unorganized army of young men of Yucatan who had been sent out to resist his advance. Alvarado's army was well equipped and had little or no difficulty in defeating them and capturing a great many of them. He lined up the prisoners and shot them down, although after the slaughter had proceeded a short time he pardoned those who had not already been killed.

MR. KEARFUL. What acts of violence did he commit, if any?

MR. SMITH. At that time?

MR. KEARFUL. Yes.

MR. SMITH. That was the only act of violence except the usual things which happen when an army is on the march.

MR. KEARFUL. I will ask you to go back now and describe the henequen situation and the means that had been established before the Carrancista invasion to regulate that industry.

MR. SMITH. The henequen industry was established on a very solid and profitable basis. The panics which I mentioned as having occurred in 1907 and 1911 created merely temporary setbacks, but the State whose only product, or whose only source of revenue, was henequen, became one of the richest States in the Republic of Mexico. At the time of Alvarado's entry into Yucatan it was the richest State in the Republic of Mexico. The planters received an average price of about 54 cents per pound for their fiber. That price was delivered at New York. At that price they prospered and were peaceful and contented.

There were various buyers and exporters of henequen in Yucatan and have been ever since the foundation of the industry up until 1915, when Alvarado drove them all out.

When Alvarado reached Merida his first act was to seize the railways of the State, and he operated them from that time until the time of his departure.

In 1912, shortly after the inauguration of the first military governor, who was Nicolas Camara Vales, an organization was made of various henequen planters in conjunction with the government of the State. This organization was named the *Comision Reguladora del Comercio del Henequen*.

MR. KEARFUL. Commonly known as the *Reguladora*?

MR. SMITH. Commonly known as the *Reguladora*. The purpose of that organization was to regulate the henequen industry—that is to say, that when in the operation of the law of supply and demand any large accumulation of henequen took place the *Reguladora* was to take this accumulation off the market and hold it until such time as the demand caught up with the supply. The governor of Yucatan was always president ex-officio of the *Reguladora*. The *Reguladora* functioned with more or less success but played no important part in the commercial or economic life of Yucatan.

When Alvarado assumed power in 1915 he assumed charge of the *Reguladora*, appointed his own board of directors, and gave notice that he was to arrange that the *Reguladora* would be the only institution or firm allowed to deal in henequen in Yucatan. Following out this policy, he ordered his director of the railways to refuse to transport any henequen shipped by anybody except to the consignment of the *Reguladora*. This brought about a state of chaos, generally, as the planters were suspicious of the *Reguladora*, did not care to do business with it, and preferred to continue doing as they had been doing.

MR. KEARFUL. Was it possible for them to market their product without opportunity to use the railway transportation?

MR. SMITH. It was not possible because naturally none of the buyers would buy henequen in the interior. It was necessary that the henequen should be at the coast, otherwise it was worthless. There were about 60,000 bales of henequen held in the various interior points awaiting shipment to the coast. That quantity was owned by American interests and they had great difficulty in moving it. They appealed to the United States Government, and it was only after the greatest pressure had been applied that Alvarado permitted the hemp to come to the ports.

MR. KEARFUL. What was the system inaugurated by Alvarado for the control of the *Reguladora*?

MR. SMITH. He automatically assumed the presidency of the institution immediately he came into power in Yucatan, and he appointed his own board of directors and his own manager. The first manager he appointed was Juan Zubaran.

MR. KEARFUL. What was the progress of the henequen industry under the system which he established?

MR. SMITH. The first effect was to paralyze the industry. The *Reguladora* had accumulated some hemp and Alvarado was anxious to sell that and turn it into money. The planters made every effort to ship their hemp to the coast; they had to pay bribes to the em-

ployees of the railways and to resort to every possible means of marketing their hemp. They even sent it down at great trouble and expense by carts, but Alvarado soon put a stop to that practice by taking possession of the roads entering into Progreso and prohibiting the passing of the carts bearing the hemp to the warehouses.

Mr. KEARFUL. What means did he take to compel the planters to turn over their production to the Reguladora?

Mr. SMITH. Why, he would call the planters to the palace, sometimes in groups, sometimes single individuals, and he threatened to destroy their plantations, threatened to break the machinery, threatened to burn the fields, and to throw the owners into the fire unless they signed a contract agreeing to deliver their product to the Reguladora.

Mr. KEARFUL. Upon what terms?

Mr. SMITH. He promised it would be operated as a cooperative society. He agreed to pay them an advance against their deposit of hemp, but he neglected to pay any fixed price, merely stating in the contract that the Reguladora would pay an advance, which at the present time was 4 cents a pound, but that did not imply any obligation on the part of the Reguladora to pay 4 cents or any other price in the future.

Mr. KEARFUL. And what was his proposition in regard to a division of the profits?

Mr. SMITH. He promised to divide the profits among the planters in proportion to the amount of sisal which they would deliver; that is, when the sisal was eventually sold the product of the sale would be paid to the various planters in proper proportion.

Mr. KEARFUL. How was that carried out?

Mr. SMITH. It was not carried out in letter or in spirit. Alvarado sent agents to this country who negotiated a contract with some bankers in New Orleans. The bankers agreed to advance money to the Reguladora against hemp warehoused in this country. The original agreement called for the Reguladora to pay interest on such loans at market rates and in addition to pay a commission of 5 per cent to the syndicate of bankers that was financing the Reguladora. The name of the syndicate was the Pan American Commission Corporation.

Mr. KEARFUL. Who was the agent sent by Alvarado?

Mr. SMITH. Dr. Victor A. Rendon and his brother, Julio Rendon. Later on that agreement was changed, because it appeared to conflict with the antitrust laws of the United States. It appears that the promise to pay a commission of a stated amount on a price that was likely to fluctuate was possibly illegal, so the agreement was later changed during the progress of an investigation which a subcommittee of the United States Senate made of the henequen industry, and a fixed amount per bale was arranged to be paid to the Pan-American Commission Corporation.

Mr. KEARFUL. Who composed this Pan-American Corporation?

Mr. SMITH. The head of the corporation was Saul Wechsler and his associate was Lynn H. Dinkins.

Mr. KEARFUL. What was the amount of the commission paid to them?

Mr. SMITH. The original amount agreed on was 5 per cent; then the later agreement called for the payment of—I can not think of it.

Mr. KEARFUL. What effect did the system established by Alvarado have upon the prices of hemp in this country?

Mr. SMITH. When the United States Senate conducted hearings in the investigation into the henequen industry Dr. Rendon and Mr. Wechsler and Mr. Dinkins stated most emphatically that although the Reguladora was an effective monopoly it was not their intention to advance the price of henequen above the then existing price, which was  $7\frac{3}{8}$  cents per pound. It will be noted that the price of  $7\frac{3}{8}$  constitutes an advance of a little more than 2 cents per pound over the average price for the 15 years prior to 1915.

After the hearings closed the Reguladora proceeded to advance the price, until in 1917 it was  $16\frac{3}{8}$  cents per pound; in 1918 they advanced it to  $19\frac{1}{4}$  cents per pound; but in 1919, owing to a large accumulation of hemp in their hands, they reduced the price to  $15\frac{1}{4}$  cents per pound.

Mr. KEARFUL. What effect did this have upon the prices that had to be paid by the American farmers for binding twine?

Mr. SMITH. This advance forced the American farmers to pay for their binder twine the following amounts in excess of the amounts they had paid for the same quantity of twine in previous years: Excess in 1916, \$7,125,000; excess in 1917, \$33,375,000; excess in 1918, \$42,000,000; excess in 1919, \$30,000,000; making a total of \$112,500,000 which American farmers were compelled to pay for their binder twine in excess of the amounts they would naturally have been called upon to pay had it not been for the existence and monopolistic actions of the Reguladora.

Mr. KEARFUL. Did the henequen planters of Yucatan get the benefit of this amount?

Mr. SMITH. No; the Yucatan planters derived no benefits.

Mr. KEARFUL. Where did this money go?

Mr. SMITH. That is hard to say. One million dollars was paid to the Pan-American Commission Corporation after the Reguladora refused to carry out its contract. They did this after they had placed themselves on their feet by the collection of these high prices for henequen. Then when the Reguladora commenced to receive these large sums of money Alvarado and his associates organized many subsidiary companies; they also spent very large sums of money for advertising and propaganda work in the United States, Europe, and South America; they paid moneys to newspapers in Mexico City in order to advance Alvarado's political ambitions; they sent anarchists to the United States and to South America, who conducted an active propaganda; they also organized a company called the Compania de Fomento del Sureste, of which Alvarado was president, and which he controlled absolutely. The supposed object of this company was to import everything required by the natives of Yucatan and to exclude from all participation in commerce all private firms and individuals.

Alvarado caused \$9,000,000 to be taken from the Reguladora treasury for the purchase of several small steamers. Although he announced that he had acquired these steamers for the purpose of transporting the Reguladora's henequen to the United States, the steamers were immediately chartered to the Compania de Fomento del Sureste, who in turn made a contract with the Reguladora to

transport the Reguladora's hemp on these steamers. Alvarado also used the money of the Reguladora for the purpose of acquiring the majority of the stock in the Yucatan railways. He immediately handed over control of these railways to the same *Compania de Fomento*.

Mr. KEARFUL. Was there any undertaking by this subsidiary company to build additional railways?

Mr. SMITH. I think there was no definite undertaking, but they did appropriate a great many rails and railway equipment from the various plantations in the State and they advertised, and in fact they did some work in building a railway in the southern part of the peninsula, but it was generally regarded as a joke, and though several million pesos were ostensibly paid in the construction work of the railroad it was later sold for 150,000 pesos to a friend of the Alvarado Government.

Mr. KEARFUL. What supplemental organization was established by Alvarado for the purpose of controlling the planters? I refer to the *Ligas de Resistencia*.

Mr. SMITH. Well, as things progress in Yucatan the planters became more and more restless. Although they realized that henequen was being sold in the United States at fabulous prices, and although they observed the prosperity of all the Alvarado officials, they realized that they were becoming poorer all the time, that the moneys which Alvarado promised them and which they were entitled to on the basis of participating in the selling price of the henequen were not forthcoming, they saw that those moneys were being expended for other purposes, and opposition commenced to develop. In order to quell any idea of independence on the part of the Yucatan people Alvarado organized the so-called *Ligas de Resistencia*. They conducted a campaign of terror throughout the State. Anybody who expressed any antagonism to Alvarado immediately was persecuted by the *Ligas de Resistencia*.

Mr. KEARFUL. What course did this persecution take?

Mr. SMITH. Destruction of hemp fields, breaking of machinery, and inciting fear in the minds of the workmen on the plantations and driving them off. Another method which Alvarado pursued was in Merida. On the principal boulevard of the city he had hanged two men on different occasions, but on each occasion he allowed the body of the hanged man to swing from an oak tree on this principal boulevard of Merida from sunrise to sunset. That created considerable excitement. After that when anybody showed any tendency to disagree with Alvarado or to resist his decrees he would tell them to "Remember the oak tree," and that brought them to terms in very short order.

Mr. KEARFUL. I will ask you to describe the condition of the henequen plantations as a result of the policy established by Alvarado.

Mr. SMITH. Among other so-called reforms, Alvarado proceeded to inaugurate a school system. He brought several hundred so-called teachers down from various parts of Mexico and sent them broadcast throughout the State of Yucatan, compelling each planter to have a teacher on the plantation. Many of these teachers were unable to read or write and were compelled to make their mark in giving a receipt for pay checks. None of them was able to speak the language

spoken by the Indians, and the so-called teachers were merely agitators who did nothing but create discord and dissatisfaction among the workmen on the plantations.

Mr. KEARFUL. What were the doctrines they taught?

Mr. SMITH. Anarchistic entirely. They taught them that the planters had kept them in slavery for years, that now the tide had turned and the workmen themselves were masters. They told them that if the plantation owners made any attempt to enforce discipline or to resist the authority which the workmen were to exercise on the plantation they were to take their machetes and cut their heads off.

Mr. KEARFUL. The planters had to pay for this instruction?

Mr. SMITH. Yes.

Mr. KEARFUL. What effect did the promulgation of such doctrines have?

Mr. SMITH. Why, it produced almost complete demoralization on all the plantations. A henequen plantation, in order to remain productive, must be carefully attended to; that is, the leaves of the henequen plant must be cut at certain periods, the underbrush must be cleaned out, and the plantations kept clean; otherwise the plants will die. The system inaugurated by Alvarado forced the owners to relinquish the control of their property; the men were allowed to work as they pleased, and instead of devoting their time to keeping the plantations in good condition they would cut the leaves of the hemp plants nearest the road, and by overcutting those plants nearest the road they would produce a condition which caused those plants to die prematurely; also by neglecting the leaves on the plants in the interior of the plantation and by failing to clean out the underbrush they have caused many of the plants to send up a pole, which is the indication that the life of the plant is at an end and it is of no further use.

Mr. KEARFUL. What is the natural life of the henequen plant under proper conditions, and what is the effect of the neglect of the plant?

Mr. SMITH. It requires seven years from planting for a plant to produce fiber. After it commences to produce it will continue production for a period of about 18 years. If the plant is not properly cared for it will die in three or four years.

Mr. KEARFUL. What is the condition of the henequen plantations in Yucatan at the present time?

Mr. SMITH. The present condition of the henequen plantations in Yucatan is alarming. The planters have been robbed of the money received from the sale of their henequen, so they are now on the verge of bankruptcy and not in condition to continue the development and care of the plantations.

Mr. KEARFUL. What effect will that have upon the farmers of this country who are compelled to use that product for binder twine?

Mr. SMITH. Unless something is done to relieve the situation of the Yucatan planters it is a practical certainty that within a very few years the farmers of the United States will be without binder twine to bind their crops. Up until the present time no substitute for henequen fiber has been found in sufficient quantities to replace henequen in case that fiber should be eliminated, and there is every prospect of its being eliminated now.

Mr. KEARFUL. Has this country been the market for the henequen product?

Mr. SMITH. Yes; this country always consumed about 90 per cent of all the henequen grown in Yucatan. About 90 per cent of the grain crops of the United States are bound with twine made of henequen from Yucatan.

Mr. KEARFUL. What did Alvarado do in reference to establishing prohibition in Yucatan.

Mr. SMITH. Alvarado made the State dry on paper, but liquor continued to be handled in Yucatan. It was smuggled in by many people and the Government made a pretense of enforcing the law. In fact, they did seize fairly large quantities of liquor which they stored in a church, but when the Government lost control of the Reguladora last summer they had no means of getting further revenue, so they commenced to sell the liquor out of the church and a short time ago they made a sale of part of the stock of liquor, but the Federal Government seized the liquor because the State government had failed to pay the Federal revenue tax on it.

Mr. KEARFUL. And what became of the liquor then?

Mr. SMITH. I have not heard its final disposition.

Mr. KEARFUL. Is effective prohibition now established in Yucatan?

Mr. SMITH. Only until the end of this year. I understand they are giving up the prohibition feature of it and next year under Federal regulation they will become wet again.

Mr. KEARFUL. Will you proceed to describe the currency system established in Yucatan?

Mr. SMITH. Up until the outbreak of the revolution currency was the usual Mexican peso, but as the trouble and disorder continued there was a natural depletion of the silver currency throughout the country so that in Yucatan the Reguladora, in order to meet the currency shortage, made large issues of paper currency and for quite some time that was the only circulating medium in the peninsula.

Mr. KEARFUL. To what amount has this currency been issued?

Mr. SMITH. Nobody has been able to find out. I understand that some of the banks that have been financing the Reguladora during the Alvarado régime are interested in finding out just what the amount of the obligations are and are trying to uncover the details of the issues.

Mr. KEARFUL. What method did Alvarado pursue for the purpose of forcing this currency on the people?

Mr. SMITH. Why, he issued a decree making it legal tender and promising to redeem it on the basis of 50 cents United States gold per peso.

Mr. KEARFUL. What representations did he make as to the coin reserves held for security?

Mr. SMITH. Well, as the people observed the effect of his various acts they became more and more suspicious of the insolvency of the Reguladora and he had photographs made of safes full of gold coin—United States gold coin—and he exhibited those generally in order to attempt to establish confidence in the Reguladora paper; but last summer, when the Reguladora was, by instructions from the Federal Government, turned over to the planters they took possession of the Reguladora offices and found those safes empty. They did not have enough money even to pay for telegrams they wanted to send.



Mr. KEARFUL. What became of the Reguladora in the end?

Mr. SMITH. It has been turned over to a committee of Yucatan planters, who are now trying to save the situation. They have promised to take up the large issues of paper money made by the Alvarado government just as soon as they can raise the money, but conditions are very hard. They found the Reguladora looted to such an extent as to make their work exceedingly difficult, and it is uncertain what the outcome will be unless they are able to find assistance in some form or other from this country.

Mr. KEARFUL. In what form could assistance be rendered?

Mr. SMITH. Either by somebody in this country making loans to them against warehouse receipts for henequen or else the American binder-twine manufacturers agreeing to take the monthly production of the planters.

Mr. KEARFUL. What prospect is there of successful negotiations along that line?

Mr. SMITH. That is uncertain. The market conditions are very uncertain, because only a month ago a syndicate of banks which had been loaning money to the Reguladora against deposits of henequen in this country foreclosed on 250,000 bales of henequen and the banks themselves bought them in at \$20 per bale. Now, if those 250,000 bales should be disposed of by the banks to the cordage manufacturers, it will be many months before the Yucatan planters will find any outlet for their production. In the meantime their source of revenue will have been cut off and they will not have any means whatsoever to continue work on the plantations. That may possibly bring about a situation where they will have to abandon the plantations, and the consequences would be most disastrous not only to the Yucatan planters but also to the United States generally.

Mr. KEARFUL. What confidence could be imposed in their ability to conduct their plantations under the situation that you have been describing?

Mr. SMITH. They could conduct their plantations and they could gradually get on their feet again if they were assured of a steady market for their products.

Mr. KEARFUL. In the face of the anarchistic doctrines that have been imposed upon them?

Mr. SMITH. Those anarchistic doctrines have been discarded. After the State was reduced to the very extreme of demoralization the men who accomplished that work gradually retired, and since the affairs of the State have been turned over to the planters they have been able to restore order to a very large extent. Discipline has been restored on the plantations, and there is a general feeling in Yucatan of a desire to cooperate and to work together to bring about a condition of stabilization.

Mr. KEARFUL. Alvarado himself is not personally in control now?

Mr. SMITH. No; he is not even in Yucatan; he is in Mexico City and is conducting a newspaper there.

Mr. KEARFUL. Is he also conducting a political campaign?

Mr. SMITH. Yes; he is a candidate for the presidency of Mexico.

Mr. KEARFUL. What other fiat money was used in Yucatan besides the issue of the Reguladora?

Mr. SMITH. They also used there the various issues of the Carranzista Government; they had the Veracruzanos, the constitucionistas, the infalsificables.

Mr. KEARFUL. With whom were you connected in operations in Yucatan?

Mr. SMITH. With Abalino Montes.

Mr. KEARFUL. Did you have any transactions personally in reference to the fiat money of the Carranza Government?

Mr. SMITH. Yes.

Mr. KEARFUL. What were the transactions that you had?

Mr. SMITH. The first transaction I had was early in 1915 during the Argumedo régime. Argumedo used threats to force us to give him a letter of credit on New York for \$500,000.

Mr. KEARFUL. For what purpose was this money to be used?

Mr. SMITH. He was sending a commission to the United States for the purpose of buying provisions and supplies for the Yucatan Government.

Mr. KEARFUL. What were the threats he used?

Mr. SMITH. During the De los Santos régime we had bought 100,000 bales of henequen from the Reguladora. De los Santos did not stay long enough to carry out the contract, but it naturally and legally devolved upon his successor to carry out the contract. Argumedo threatened to refuse to deliver us any of this henequen and also to close up our business and to refuse to permit us to do any further business in Yucatan unless we acceded to his request for the letter of credit for \$500,000. In order to convince us that it would be in order for us to give him the letter of credit he brought us to the Banco Peninsular to witness the removal of 1,100,000 Mexican gold pesos from the vaults of the bank. That gold was brought to the governor's palace and Argumedo told us that he had brought us there to show us that he had the money with which to carry on his government, but he did not wish to send the gold coin out of the State, and gave us one more opportunity to give him the letter of credit, which we did.

He sent a mission to the United States to purchase the provisions and supplies referred to, and we had made payments against that letter of credit amounting to about \$200,000 when Alvarado came into Yucatan and issued a decree nullifying the paper money which Argumedo had delivered us for the letter of credit.

Mr. KEARFUL. How much paper money?

Mr. SMITH. Between 3,000,000 and 4,000,000 pesos in paper money.

Mr. KEARFUL. That is, of the issue of the Reguladora?

Mr. SMITH. Of the Reguladora issue.

Mr. KEARFUL. And what did Alvarado do in reference to that money?

Mr. SMITH. He issued a decree declaring it null and void.

Mr. KEARFUL. And then what did you do?

Mr. SMITH. We stopped further payments against the letter of credit. Later on, Alvarado or the government of Yucatan brought suit against us to enforce the payment of the remaining \$300,000. That suit was brought in New York, but has never come to trial.

Mr. KEARFUL. Notwithstanding the consideration had been destroyed?

Mr. SMITH. Notwithstanding that fact.

Mr. KEARFUL. What value has the money issued by the Reguladora?

Mr. SMITH. It is of very doubtful value now.

Mr. KEARFUL. Upon what basis did this fiat money issued by the Reguladora rest? Upon what security was it supposed to stand?

Mr. SMITH. Upon the security of the hemp held by the Reguladora.

Mr. KEARFUL. Upon the henequen itself?

Mr. SMITH. Upon the henequen itself and, in addition, the photographs of the safes full of gold.

Mr. KEARFUL. What about price of henequen at the present time?

Mr. SMITH. The price of henequen has declined until it is now about  $7\frac{1}{2}$  cents per pound.

Mr. KEARFUL. I judge from that there would be no prospect of liquidating or taking up this fiat money from the proceeds of the henequen?

Mr. SMITH. It can be done gradually provided the holders will not force matters to an issue, and also provided the banks in the United States which have made large loans to the Reguladora and which loans have to be assumed by the planters do not press matters.

Mr. KEARFUL. What transactions did you have in reference to the issue of Carranza paper currency?

Mr. SMITH. In view of the scarcity of currency throughout Yucatan, it was necessary for us to go outside in order to get currency to finance our business. We bought issues of the Carranza Government from the banks along the border, from the First National Bank of El Paso, and from the Laredo National Bank. Those banks guaranteed the guineness of all the money they sold to us. We shipped the money thus bought from New Orleans to Yucatan.

Mr. KEARFUL. In what amount?

Mr. SMITH. Oh, in varying amounts.

Mr. KEARFUL. In the aggregate?

Mr. SMITH. Probably 3,000,000 or 4,000,000 pesos.

Mr. KEARFUL. This money, by decree of Carranza, was legal tender?

Mr. SMITH. Yes.

Mr. KEARFUL. And what occurred when you attempted to use this money?

Mr. SMITH. Nothing occurred until one shipment we brought into Yucatan we made a payment of about 400,000 pesos to the Reguladora. It so happened that when we made that payment Luis Cabrera had just arrived in Yucatan.

Mr. KEARFUL. The minister of finance under Carranza?

Mr. SMITH. Yes; and he sent for me and I went to the office of the Reguladora, and he had all this money piled on a table and asked us where we got so much counterfeit money, which was the first intimation we had that they were contemplating declaring it counterfeit. We told him it was not counterfeit and he insisted that it was; that he felt sure he saw imperfections in the bills which indicated its being counterfeit, and said that he was going to have an expert come over from Vera Cruz to decide whether it was counterfeit or not. We suggested that it was not necessary for the expert to come from Vera Cruz to render the decision; that Cabrera could telegraph him what decision he wanted made and that it would be made accordingly. But the expert came over, and of the total amount of 400,000

pesos which we had paid he declared about 160,000 pesos counterfeit, and he confiscated that amount.

Mr. KEARFUL. Did you request the delivery of the bills, so that you could hold the banks from which you bought them to their guaranty?

Mr. SMITH. Yes; we explained to him that we had bought it under the guaranty of its being genuine from those banks which I have mentioned, who had assured us that they had bought it from the Carranza treasury agents, and we explained to Cabrera that if he would let us bring it back to those banks we would be able to have them make good, but he refused to do it, and we lost that amount.

Mr. KEARFUL. Do you know of any similar transaction taking place with other persons?

Mr. SMITH. Yes; there was one Mexican, a man named Modesto Alvarez, who was accused of having counterfeit money. He made the same explanation as we made, and made the same request that he be permitted to send it back to the banks on the border, and he was granted that permission.

Mr. KEARFUL. How do you account for the discrimination?

Mr. SMITH. I believe it was because we were Americans.

Mr. KEARFUL. Have you ever heard Luis Cabrera express his sentiments in regard to what should be done in reference to Americans and their property interests in Mexico?

Mr. SMITH. Yes; Cabrera made no secret of his ideas on that subject. He said the Americans had exploited the Mexicans long enough and ought to be driven from the country.

Mr. KEARFUL. You are clear about that, are you?

Mr. SMITH. Positive.

Mr. KEARFUL. About what he said?

Mr. SMITH. Yes.

Mr. KEARFUL. Mr. W. F. Buckley recently testified before the committee. On page 797 of the printed hearings he said:

I had a conversation in 1914 with Luis Cabrera, in which Mr. Cabrera very frankly told me that the menace of the American in Mexico must be removed and that the only way to do this was to drive him out of the country and take his property.

Is that substantially the sentiment that he expressed to you?

Mr. SMITH. Practically the same. I do not recall that he said they would take the property of the Americans, but he most certainly said that Americans must be driven out of Mexico.

Mr. KEARFUL. Shortly after the publication of Mr. Buckley's testimony Mr. Cabrera issued a statement in which he denied having had any such conversation and stated that he did not know Mr. Buckley. In view of the possibility of Mr. Cabrera's denial of your statement I would like to have you indicate some occurrences which would make it positive that Mr. Cabrera certainly knows you.

Mr. SMITH. Well, he might possibly recall his seizing the 160,000 pesos of our money; he might recall that he and I were passengers on the steamer *Morro Castle* out of Progreso at the end of July, 1915, at which time I had a conference on board the steamer as she lay off Progreso with Cabrera, Alvarado, Judge Douglas, Carranza's attorney, and Mr. Barrett, the representative of the International Harvester Co. Mr. Cabrera might also recall that in 1916 he telegraphed instructions to the Mexican Embassy here in Washington to

bring to the attention of Mr. Bryan, who was then Secretary of State, the fact that I was prejudiced in my views on Mexican affairs and that the State Department should have no confidence in my reports to them.

Mr. KEARFUL. I suppose you were represented to belong to that class of American capitalists who were engaged in exploiting the Mexican peon?

Mr. SMITH. That was his contention; yes.

Mr. KEARFUL. What is your view of that bit of propaganda that has been circulated so assiduously in this country, that American citizens are not entitled to consideration because they have been engaged in exploiting the people of that country to the detriment of the country and for their own especial benefit?

Mr. SMITH. Why, I believe that is being used almost entirely with the idea of having the Mexican politicians continue in power in Mexico.

Mr. KEARFUL. What is your opinion about the truth of that statement that the Americans are not entitled to consideration because they have been engaged in exploiting the people of Mexico?

Mr. SMITH. There is no truth at all in that. Of course, there are individual cases of injustice on the part of Americans toward Mexicans, just the same as there are cases of injustice in every other country of the world, but I think that the progress which Mexico has shown since the Americans went in there with their ability and their money and the knowledge which they possessed is sufficient answer to the claim of the Mexican Government officials that Americans did exploit the Mexican people unfairly.

When Americans went in there and started to really develop Mexico the Mexican people had neither the money nor the knowledge necessary to permit them to develop their own country. It was a case of Mexico being developed by foreign capital and foreign energy or remaining in a semibarbarous condition.

Mr. KEARFUL. What has been the effect upon the laboring classes of the operations of foreign capitalists?

Mr. SMITH. Why, the effect has been remarkably good. During the period of the Mexican development I believe the Mexican workman made more progress comparatively speaking than the workmen of any other country.

Mr. KEARFUL. What is the sentiment of Mexican laborers with reference to American enterprise? Are they hostile toward Americans?

Mr. SMITH. Well, I can speak for Yucatan only. I do not know anything about conditions in the northern part of the Republic, but in Yucatan the sentiment among the natives is entirely friendly toward Americans.

Mr. KEARFUL. Do they prefer to work for Americans than for their own people?

Mr. SMITH. No; that is not true. In Yucatan there have been very few American employers. The great majority of the hemp planters are Mexicans; but what few Americans have gone in there and run hemp plantations and other industries—gas works, for example, and other industries—have had absolutely no trouble with the natives. In fact, the natives always displayed the most friendly feeling toward Americans.

Mr. KEARFUL. What was the condition of the railways of Yucatan up to the time of the entry of Alvarado?

Mr. SMITH. They were on a solid basis; they had been built by local capital, and had practically no loans. In fact, they never had a bond issue until it was, I think, 1912, when they floated an issue of 825,000 pounds sterling. They were being run as a railroad that is up to date, just as much so as any other railroad in Mexico.

Mr. KEARFUL. Were they in good condition?

Mr. SMITH. Yes.

Mr. KEARFUL. With plenty of rolling stock?

Mr. SMITH. Yes; with plenty of rolling stock. They had a sufficient equipment to take care of the requirements of the State.

Mr. KEARFUL. What has been their condition since that time?

Mr. SMITH. Well, they have been neglected, their rolling stock is in horrible condition, the roadbeds have also been neglected, and, in fact, one of the adherents of the Alvarado government pointed to them as a modern miracle; that is, they have been able to maintain the semblance of being a railroad with the run-down equipment and roadbeds which they are suffering from.

Mr. KEARFUL. Have they paid the interest on this foreign loan?

Mr. SMITH. They have been paying it; I do not know if they have paid it all. Their payments were always delayed, but the bondholders never saw fit to foreclose.

Mr. KEARFUL. Were the roads in a prosperous condition up to the time of Alvarado?

Mr. SMITH. Yes.

Mr. KEARFUL. The stock was worth considerable sums on the market?

Mr. SMITH. I can not recall what the quotation was, but it had a fair price.

Mr. KEARFUL. And what is the condition of the stock now?

Mr. SMITH. I think the stock is worthless. The Federal Government has attached the railroads in Yucatan to satisfy a debt owed it by the State government for the payment of export duties on henequen.

Mr. KEARFUL. The State government does not own the railroads, does it?

Mr. SMITH. No; but the Reguladora is part of the State government.

Mr. KEARFUL. And the Reguladora purchased the control of the stock?

Mr. SMITH. Yes; the Reguladora purchased the control of the stock and Alvarado as president of the Reguladora turned the control over to Alvarado as Governor of Yucatan, and he in turn handed it over to Alvarado as president of the Compania de Fomento.

Mr. KEARFUL. Before purchasing the stock did Alvarado take possession of the railroads when he entered the country?

Mr. SMITH. Yes.

Mr. KEARFUL. What was the pretext?

Mr. SMITH. He took possession in the name of the revolution. Everything he did there was in the name of the revolution.

Mr. KEARFUL. And as a supposed military measure?

Mr. SMITH. Yes.

Mr. KEARFUL. There was really no opposition to the Carranza government until the Carranza officials came into the country and started trouble, was there?

Mr. SMITH. That is true.

(Whereupon, at 1 o'clock p. m., a recess was taken until 2 o'clock p. m.)

AFTER RECESS.

Mr. KEARFUL. Returning to the transaction which you had with Argumedo, I understand that you were forced to extend to him a letter of credit on New York for \$500,000, in consideration of which he delivered to you some 3,000,000 or 4,000,000 pesos in Reguladora currency which you would be entitled to use in the payment for 100,000 bales of henequen that you had contracted to buy from the Reguladora; is that correct?

Mr. SMITH. In part payment.

Mr. KEARFUL. What was the exact amount, if you remember, of this Reguladora currency?

Mr. SMITH. Three million five hundred and fifty thousand pesos, as nearly as I can recollect.

Mr. KEARFUL. What did you do with this currency? I may say that I understand that Alvarado issued a decree shortly after his entry into Yucatan nullifying this currency. What did you then do with it?

Mr. SMITH. Well, prior to Alvarado's arrival in Merida many of the people gathered together their money and valuables and fled the country. Our people made their escape from Merida carrying with them the currency in question, and brought it to this country. During the Argumedo régime, and prior to the entry of Alvarado into Yucatan, Carranza had blockaded the port of Progreso, and no henequen was allowed to be exported. The United States Government made representations to Carranza which resulted in his lifting the blockade of Progreso, but Alvarado immediately thereafter took steps to prevent the henequen entering Progreso from the interior points.

Mr. KEARFUL. What was the consideration that moved the United States Government to take steps to protect the owners of henequen?

Mr. SMITH. It was because that situation arose in the spring of 1915 when the binder-twine manufacturers had not sufficient fiber to manufacture the binder twine required for the 1915 harvest, and the farmers throughout the country realized that without a proper supply of binder twine their crops could not be gathered, so it was of vital importance that the fiber necessary to manufacture the binder twine for the 1915 harvest be obtained without delay. Although the blockade was lifted and theoretically hemp was supposed to be allowed free movement out of Progreso, Alvarado was obstinate and refused to permit shipments of the hemp to be made.

Mr. KEARFUL. Did this lead to negotiations between yourself and the Mexican representatives in Washington in regard to shipments by you of henequen from Yucatan?

Mr. SMITH. Yes; the United States Government was quite insistent that the hemp be moved, and they offered to give us protection in getting the hemp out. When Mr. Eliseo Arredondo, who was then the Washington representative of the Carranza Government, learned

of the proposal to see that the hemp was actually shipped, we had several conferences with him which resulted in an agreement being made whereby he agreed that if I should go to Yucatan with the Reguladora currency the Mexican Government would allow the hemp to be shipped, but he was very anxious to avoid all appearance of any coercion on the part of the United States Government. I agreed to take the currency to Yucatan on condition that the Mexican Government would guarantee my personal safety.

Mr. KEARFUL. Was it part of the agreement that the arrangement made with Argumedo whereby this money would be received in part payment for the hemp would be carried out?

Mr. SMITH. With Arredondo, you mean?

Mr. KEARFUL. Yes.

Mr. SMITH. It was part of the agreement that the Reguladora would accept that currency in payment for the hemp. I went to Yucatan with the currency, but when I arrived there I learned that two or three days subsequent to the agreement with Arredondo in Washington Alvarado had issued a new decree confirming the previous decree to the effect that the currency held by us was null and void and also declaring it to be counterfeit. In this decree he stated that anybody found with that currency in his possession would be dealt with as a counterfeiter, the penalty in that case being death. I did not take the currency ashore, but deposited it on board the United States gunboat *Des Moines*, which was lying off the port of Progreso.

Mr. KEARFUL. And you did not yourself go ashore?

Mr. SMITH. After depositing the currency on the *Des Moines* I did go ashore.

Mr. KEARFUL. Taking care not to have any of this money in your possession?

Mr. SMITH. I had none of it when I went ashore.

Mr. KEARFUL. Then the agreement which was made by Mr. Arredondo was repudiated?

Mr. SMITH. Entirely.

Mr. KEARFUL. Returning to Luis Cabrera and the sentiment expressed by him in reference to driving Americans out of Mexico, what was the sentiment of Salvador Alvarado on that point?

Mr. SMITH. Why, he was much more violent in his expressions against Americans than was Cabrera. Alvarado told me on various occasions that if he had his way he would drive all the Americans out of Mexico immediately.

Mr. KEARFUL. Do you know anything about certain devious methods employed by Alvarado and his henchmen to secure funds with which to promote the campaign of Alvarado for the presidency of Mexico?

Mr. SMITH. In 1916 Col. Bauche Alcalde of the Carrancista army came to New York and endeavored to sell 100,000 bales of henequen. He informed me that Alvarado was laying plans to make a campaign for the presidency during the next election and was desirous of raising a campaign fund. Bauche Alcalde told me that he would sell us 100,000 bales of sisal at a price 1 cent per pound below the then market price on condition that we would stipulate in the contract that we would export the sisal from the United States. We told him that there was no market for such a large quantity of sisal outside the United States and he suggested that the matter could be arranged if



we would merely mention the word "export" in the contract and that we would not be held to any obligation to see that the hemp were actually exported.

Mr. KEARFUL. In what way was he expecting to raise money for the campaign fund by this transaction?

Mr. SMITH. He told me that Alvarado had agreed to sell him and his associates 100,000 bales at a price 4 cents per pound below the then prevailing price.

Mr. KEARFUL. That is, Alvarado acting as head of the Reguladora?

Mr. SMITH. Yes.

Mr. KEARFUL. And the 4 cents per pound less the market price referred to the market price fixed by the Reguladora?

Mr. SMITH. Yes; fixed by the Reguladora on sales of henequen to American binder-twine manufacturers.

Mr. KEARFUL. If that transaction had been carried through, what amount of profit would have resulted to Alvarado?

Mr. SMITH. Something in excess of \$1,000,000.

Mr. KEARFUL. What was Alvarado's doctrine in reference to the division of the land in Yucatan?

Mr. SMITH. Alvarado promulgated a doctrine which, to the best of my knowledge and belief, was the forerunner of the Bolshevism now ruling in Russia. He enacted an agrarian law, the principal feature of which was that land should be free as light and air; that there should be no private ownership of land, and this law provided that the Indians should take possession of the land cultivated by the planters.

There is a great plenty of land in Yucatan, so that the land question is not an important one by any means, but Alvarado's plan contemplated the division among the Indians of the land which had been cultivated by the planters. He advertised certain dates on which the land would be distributed free to the Indians, and he attempted to make the distribution, but the Indians refused to take the land because, in the first place, they realized that they would have to pay taxes on the land, and the land being cultivated to henequen was of no use to them without the machinery and the central plant necessary for the depuration of the fiber.

Mr. KEARFUL. Is it possible to successfully cultivate henequen in small tracts?

Mr. SMITH. Absolutely impossible; that is, in a commercial way. A man doing it on a small scale would have to clean it by hand and the process would be so slow that he would never be able to make a living.

Mr. KEARFUL. What would be the effect upon such a process of the fact that the henequen plant requires seven years to mature?

Mr. SMITH. That in itself makes it an absurdity to think of a poor Indian taking up a tract of land to cultivate it to henequen, when it is a well-known fact that the first seven years produce not 1 cent of revenue, but necessitate continued outlay.

Mr. KEARFUL. And is it necessary to have expensive machinery with which to handle the crop?

Mr. SMITH. Yes.

Mr. KEARFUL. What has become of Alvarado's bolshevistic doctrines in Yucatan?

Mr. SMITH. Well, they have been put to one side since the planters have taken control of affairs and they had accomplished so much ruin and misery that they have been practically expelled from Yucatan.

Mr. KEARFUL. That is, the bolshevik teachers and leaders?

Mr. SMITH. No; the bolshevik features of his program.

Mr. KEARFUL. You were referring a while ago to a possible crisis that might result to the farmers in this country by reason of failure of the future crops of henequen. Have you figures with reference to the production of henequen from the time of Alvarado's transactions up to the present time as illustrating that feature?

Mr. SMITH. Yes; the production of henequen in 1900 was 500,000 bales; in 1914, the last year prior to the Alvarado regime, the production was 1,026,000 bales; in 1918 the production had declined to 805,000 bales; in 1919 it will not reach 700,000 bales. That is, during the Alvarado régime the production declined by 30 per cent, whereas if normal conditions had prevailed the production in 1919, due to the increased plantings and the installation of large numbers of modern cleaning machines, would have been 1,500,000 bales.

Mr. KEARFUL. As I understand you, substantially all this production is consumed by the farmers of the United States?

Mr. SMITH. Practically all of it.

Mr. KEARFUL. And the farmers of the United States rely upon the henequen production of Yucatan for their binder twine?

Mr. SMITH. Yes; about 90 per cent of the binder twine which the farmers of the United States use is made of Yucatan sisal or henequen. I stated that practically all of that Yucatan henequen is consumed by the American farmers. That is not quite correct, because in addition to the binder twine manufactured in this country for consumption in the United States manufacturers also make fairly large quantities of binder twine which are exported to South America and to Europe.

Mr. KEARFUL. Aside from the hardship upon the farmers in failing to get binder twine, the shortage in the crop would affect those manufacturers of binder twine in the United States?

Mr. SMITH. Very seriously.

Mr. KEARFUL. Is there anything further, Mr. Smith, that you want to testify about?

Mr. SMITH. Nothing that occurs to me.

Mr. KEARFUL. We are very much obliged to you.

(Witness excused.)

(Thereupon, at 3 o'clock p. m., the committee adjourned to Friday, January 2, 1920, at 10 o'clock a. m.)



# INVESTIGATION OF MEXICAN AFFAIRS.

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**FRIDAY, JANUARY 2, 1920.**

UNITED STATES SENATE,  
SUBCOMMITTEE ON FOREIGN RELATIONS,  
*Washington, D. C.*

On account of the illness of the witness to be examined by the committee on this day, an adjournment was taken until to-morrow, Saturday, January 3, 1920, at 11 o'clock a. m.

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# INVESTIGATION OF MEXICAN AFFAIRS.

**SATURDAY, JANUARY 3, 1920.**

UNITED STATES SENATE,  
SUBCOMMITTEE ON FOREIGN RELATIONS,  
*Washington, D. C.*

Testimony taken at Washington, D. C., January 3, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the Subcommittee of the Committee on Foreign Relations of the Senate.

## **TESTIMONY OF EMILIANO LOPEZ FIGUEROA.**

Mr. KEARFUL. You do not need an interpreter, Mr. Figueroa?

Mr. FIGUEROA. No, sir.

Mr. KEARFUL. Will you be sworn?

Mr. FIGUEROA. Before, I would like to read a statement if you will allow me. I have been summoned to appear before your committee and testify respecting the subject matter under consideration and to produce an alleged "copy of the telegram sent by Rafael Nieto to Luis Cabrera in reference to producing bail to be furnished for W. O. Jenkins" by the service of a writ of subpoena issued by your committee and served upon me personally in New York City. I am here pursuant to such subpoena, but I wish to and hereby do object to my compulsory examination. I am a citizen of the Republic of Mexico, not of the United States. This committee is considering and wishes to examine me respecting matters concerning the country of which I am a citizen. I deny the jurisdiction of this committee and its right and power to compel my attendance and examination on the ground this committee has no jurisdiction over alien residents, but can only compel the examination of citizens of the United States. Furthermore, it is a violation of international comity, as well as the courtesy which this country owes to an alien resident, to compel such an alien resident to testify concerning a matter respecting his country. I am advised that the resolution authorizing this investigation, as well as the statutes and law of the United States, do not confer any such right and power on your committee.

If you demand my examination over my protest and in violation of my rights, any information which I might have, which is of interest and concern to your committee, I will give it, only intending to act in a manner becoming a citizen of Mexico, and a resident of the United States; not wishing to embarrass either, but to facilitate you; expecting, however, that you will have proper respect for my rights as a citizen of Mexico.

Mr. KEARFUL. The committee is acting under a resolution of the Senate to investigate and report certain facts to the Senate for its information and it is believed that there is no law of this country, under whose law this committee is operating, that excuses you from testifying to such facts as are pertinent to the matters under inquiry pursuant to the Senate resolution. The committee appreciates the delicate position in which you may find yourself by reason of the necessity of testifying to facts within your knowledge but must overrule your objection and ask you to be sworn and testify.

Mr. FIGUEROA. I am perfectly willing, sir.

(The oath was thereupon administered by Mr. Kearful.)

Mr. KEARFUL. Please state your full name to the stenographer.

Mr. FIGUEROA. Emiliano Lopez Figueroa.

Mr. KEARFUL. What is your present address?

Mr. FIGUEROA. No. 112 Riverside Drive, New York City.

Mr. KEARFUL. What is your citizenship?

Mr. FIGUEROA. Mexican.

Mr. KEARFUL. How long have you lived in this country?

Mr. FIGUEROA. Over five years.

Mr. KEARFUL. Continuously?

Mr. FIGUEROA. No, sir; I was in Mexico City about 11 months ago.

Mr. KEARFUL. You are acquainted with what is known as the case of Consular Agent W. O. Jenkins, who was apprehended by the local authorities of the State of Puebla?

Mr. FIGUEROA. I don't know what you mean, sir. Am I acquainted, you say?

Mr. KEARFUL. Acquainted with the case of W. O. Jenkins?

Mr. FIGUEROA. Well, I know about that case only from what the papers have said.

Mr. KEARFUL. You recall from the newspapers that Mr. Jenkins was kidnapped by the rebel Cordoba and held for ransom?

Mr. FIGUEROA. I do.

Mr. KEARFUL. That the ransom was paid or arranged to be paid and he was released?

Mr. FIGUEROA. Yes.

Mr. KEARFUL. Subsequently he was arrested by the local authorities of the State of Puebla charged, as the newspapers reported, with complicity in his own capture and detention for ransom by Cordoba?

Mr. FIGUEROA. I have read that, sir.

Mr. KEARFUL. You recall also that the State Department of this Government made a demand for his immediate release upon the Mexican authorities and that the Mexican authorities resisted that demand and refused to release him? You recall that, do you?

Mr. FIGUEROA. I read something about that, yes.

Mr. KEARFUL. You also recall that the Mexican authorities suggested that he might be admitted to bail pending an investigation of the case and that Mr. Jenkins refused to give bail?

Mr. FIGUEROA. I think so.

Mr. KEARFUL. You remember also that subsequently to December 4 Mr. Jenkins was released upon bail having been given by an American named J. Salter Hansen?

Mr. FIGUEROA. I remember the fact; I don't remember the exact date.

Mr. KEARFUL. What connection did you have, if any, with procuring the American, J. Salter Hansen, to furnish the bail for the release of Mr. Jenkins?

Mr. FIGUEROA. No one, so far as I know.

Mr. KEARFUL. Did you have any connection with that matter?

Mr. FIGUEROA. With that matter?

Mr. KEARFUL. Yes.

Mr. FIGUEROA. No; as far as I know.

Mr. KEARFUL. Do you know of a telegram having been sent by Rafael Nieto to Luis Cabrera with reference to that matter?

Mr. FIGUEROA. Yes, sir.

Mr. KEARFUL. Have you a copy of that telegram?

Mr. FIGUEROA. No, sir; I haven't got it.

Mr. KEARFUL. The subpoena served upon you notified you to bring a copy of the telegram.

Mr. FIGUEROA. Yes, sir.

Mr. KEARFUL. Did you have such copy?

Mr. FIGUEROA. No; because I have not got it.

Mr. KEARFUL. Were you in consultation with Mr. Rafael Nieto at the time he sent the telegram?

Mr. FIGUEROA. Well, not exactly consultation, sir. We had a little talk about that.

Mr. KEARFUL. Did you collaborate with him in the wording of the telegram?

Mr. FIGUEROA. I don't think so.

Mr. KEARFUL. Do you know what the telegram contained?

Mr. FIGUEROA. Yes.

Mr. KEARFUL. Will you state the substance of it, please?

Mr. FIGUEROA. It was only a suggestion to Luis Cabrera about paying the bail or getting the freedom of Jenkins.

Mr. KEARFUL. For what purpose?

Mr. FIGUEROA. The idea of Mr. Nieto, you ask?

Mr. KEARFUL. Yes.

Mr. FIGUEROA. Mr. Nieto was worrying on account of the situation, as I was myself—the international situation—and we thought it was fair, good for this country and maybe better for ours, to avoid the danger of a rupture.

Mr. KEARFUL. What suggestion was made in the telegram as to who might be procured to give the bail?

Mr. FIGUEROA. Nobody; it was a simple suggestion without giving any names.

Mr. KEARFUL. Are you acquainted with Mr. J. Salter Hansen?

Mr. FIGUEROA. I think I saw him once, but I don't know him.

Mr. KEARFUL. Where did you see him?

Mr. FIGUEROA. I think I saw him in New York City looking for Mr. Nieto one year or two years ago.

Mr. KEARFUL. Did you read the telegram that was sent to Luis Cabrera by Rafael Nieto?

Mr. FIGUEROA. I did read it.

Mr. KEARFUL. You did not?

Mr. FIGUEROA. I did.

Mr. KEARFUL. The telegram contained a suggestion that some American be secured?



Mr. FIGUEROA. Absolutely not.

Mr. KEARFUL. Are you acquainted with Judge Delbert J. Haff, of Kansas City, Mo.?

Mr. FIGUEROA. Yes; I have met him.

Mr. KEARFUL. Was the matter of procuring some particular person to give bail discussed between you and Mr. Nieto?

Mr. FIGUEROA. Not at all.

Mr. KEARFUL. No suggestion was made about securing Judge Haff?

Mr. FIGUEROA. No, sir; I don't know where Judge Haff is. I saw him many months ago.

Mr. KEARFUL. You did not know he was in Mexico at that time?

Mr. FIGUEROA. No; I did not know.

Mr. KEARFUL. Did you know that Mr. Hansen was there?

Mr. FIGUEROA. I did not know.

Mr. KEARFUL. Are you acquainted with the provisions of the Mexican law with regard to furnishing bail for prisoners?

Mr. FIGUEROA. I have only an idea of that.

Mr. KEARFUL. Do you know that the Mexican law provides bail shall be given only when it is asked for by the prisoner or by his counsel or legal representative?

Mr. FIGUEROA. I would not like to discuss the legal phases of that matter because I am not an attorney.

Mr. KEARFUL. I asked you if you knew that to be so.

Mr. FIGUEROA. Well, I know something about that.

Mr. KEARFUL. Are you prepared to say whether you know that is so or not?

Mr. FIGUEROA. I am not prepared.

Mr. KEARFUL. Did you discuss that matter with Mr. Nieto at the time of sending the telegram?

Mr. FIGUEROA. No, sir; I repeat that Mr. Nieto and I only talked about the convenience of sending that suggestion; a plain suggestion, that is all.

Mr. KEARFUL. What is your business in this country, Mr. Figueroa?

Mr. FIGUEROA. I am a director of the Mexican National Railways in New York City.

Mr. KEARFUL. Is that your only business?

Mr. FIGUEROA. I am the president of the Transcontinental Publishing Corporation.

Mr. KEARFUL. Does that company publish a magazine?

Mr. FIGUEROA. De la Raza it is called; a Spanish magazine.

Mr. KEARFUL. What is the policy of that magazine with reference to the policy of the nationalization of properties?

Mr. FIGUEROA. I beg your pardon.

Mr. KEARFUL. What is the policy of that magazine with reference to the theory of the nationalization of properties?

Mr. FIGUEROA. That magazine does not treat about that. We don't write about that. It is a social magazine.

Mr. KEARFUL. Is this a copy of de la Raza for December, 1919?

Mr. FIGUEROA. Yes, sir.

Mr. KEARFUL. I notice in this issue of de la Raza an article entitled—I will not attempt to pronounce it.

Mr. FIGUEROA. Let me pronounce it: "Vladimir Illyich Ulianof, alias Nicolas Lenine."

Mr. KEARFUL. That article is quite favorable to the present Russian régime, headed by Nicolas Lenine, is it not?

Mr. FIGUEROA. I have not read the article, sir. I am the president of the company, but I have nothing to do with the writings in the magazine. There is an editor.

Mr. KEARFUL. You control the company, do you not?

Mr. FIGUEROA. Well, I am one of the stockholders.

Mr. KEARFUL. Do you not have the control of it?

Mr. FIGUEROA. No; the control is Dr. Ferrara.

Mr. KEARFUL. What is the extent of your ownership?

Mr. FIGUEROA. Thirty per cent.

Mr. KEARFUL. Do you hold any position under the present Mexican Government?

Mr. FIGUEROA. No, sir; only the one I mentioned before, one of the directors of the Mexican Railways in New York City.

Mr. KEARFUL. Are you a friend of Luis Cabrera?

Mr. FIGUEROA. Yes; I am.

Mr. KEARFUL. What position does he hold?

Mr. FIGUEROA. He is secretary of hacienda.

Mr. KEARFUL. That is equivalent to our Secretary of the Treasury?

Mr. FIGUEROA. Secretary of the Treasury; yes, sir.

Mr. KEARFUL. And what position does Rafael Nieto hold?

Mr. FIGUEROA. At the present time I do not think he has any official position.

Mr. KEARFUL. What was his position?

Mr. FIGUEROA. He was subsecretary of the treasury.

Mr. KEARFUL. Where is he now?

Mr. FIGUEROA. I understand he is in London.

Mr. KEARFUL. Is it not true that he went to Germany?

Mr. FIGUEROA. What do you say?

Mr. KEARFUL. Is it not true that he went to Germany from New York?

Mr. FIGUEROA. I do not think so, because I had a cablegram from him from London.

Mr. KEARFUL. Do you know whether or not he went to Germany or was intending to go to Germany for the purpose of arranging for a large colonization of Germans in Mexico?

Mr. FIGUEROA. I don't believe so, sir.

Mr. KEARFUL. He never discussed that with you?

Mr. FIGUEROA. Never.

Mr. KEARFUL. Have you ever heard Luis Cabrera express his opinion of what ought to be done with American citizens in Mexico?

Mr. FIGUEROA. Never, sir; but I would decline to discuss such a matter.

Mr. KEARFUL. You mean you would decline to testify about such a matter here?

Mr. FIGUEROA. Yes; because you are asking me questions about Mexico that I do not consider proper to answer.

Mr. KEARFUL. I hand you a yellow booklet entitled "The Conspiracy Against Mexico" and ask you when you first saw that?

Mr. FIGUEROA. In this very moment.

Mr. KEARFUL. This is the first time you have seen it?

Mr. FIGUEROA. In this very moment, sir.

Mr. KEARFUL. I ask you to observe the cartoon on the cover which represented a hideous hairy hand with talons marked "Wall Street."

Mr. FIGUEROA. Yes.

Mr. KEARFUL. With the talons covering various portions of Mexico and ask you whether you recognize that as being the work of a Mexican cartoonist. You are familiar with Mexican cartoons that have been published in Mexico City?

Mr. FIGUEROA. Yes; I have seen many of them.

Mr. KEARFUL. Do you not recognize that hand as a typical Mexican cartoon?

Mr. FIGUEROA. Really it is very hard to say, sir.

Mr. KEARFUL. Do you know the name of the cartoonist that is there?

Mr. FIGUEROA. No; I do not know.

Mr. KEARFUL. This booklet has been distributed throughout this country by the Mexican consuls and by the Mexican ambassador in Washington, and I desire to direct your attention to certain extracts from this book.

Mr. FIGUEROA. Yes, sir.

Mr. KEARFUL. And ask you whether your position is in harmony with those statements. On page 16, referring to the Mexican constitution of 1917, I find this statement:

It is without doubt the most democratic and humanitarian document in the Western Hemisphere.

You agree with that, I suppose?

Mr. FIGUEROA. I did not hear well, excuse me.

Mr. KEARFUL. Referring to the Mexican constitution of 1917 it is said:

It is without doubt the most democratic and humanitarian document in the Western Hemisphere.

You agree to that, I suppose?

Mr. FIGUEROA. I would decline to answer that question.

Mr. DESVERNINE. You may decline to answer any questions expressing your opinion.

Mr. FIGUEROA. I decline to answer any questions about my country. I do not think it is proper.

Mr. KEARFUL. I am asking you as to your own position with reference to these matters; you having testified that you are connected with the magazine de la Raza that contains this article about Nicolas Lenine and the Russian system.

Mr. FIGUEROA. Yes.

Mr. KEARFUL. I continue:

In fact, outside of soviet Russia no country in the world has taken such a step toward real liberty.

Is that your position? That has nothing to do with Mexico but only your position in this country under whose laws you are living.

Mr. FIGUEROA. I think I told you before that I am the president of the company of the Transcontinental Publishing Corporation and not the editor of the matters in the magazine.

Mr. KEARFUL. I read again from page 18 of the same booklet.

Mr. FIGUEROA. All right.

Mr. KEARFUL (reading) :

In fact, as mentioned before, soviet Russia, and also soviet Hungary (which was crushed by those who battled for five years to make the world safe for democracy—the imperialistic allied Governments)—these workers' soviet republics are the only countries that have produced constitutions of the people, as have also the Mexican revolutionists, though not as far advanced as the European revolutionists. If the Mexican constitution has not been put wholly into effect the cause lies more above the Rio Grande than below it. It even might have been worded stronger and made more really emancipating if the colossus of the north had not been in the minds of the framers.

Are those your sentiments?

Mr. FIGUEROA. I am not prepared to discuss that matter.

Mr. KEARFUL. On page 20 is this statement:

If the Mexican Government determines that the interests of the people demand that the oil deposits shall be nationalized, it has a right to go into the oil district of Tampico and tell the American, British, and other oil producers that from such and such a date the oil wells will be operated by the people for the benefit of all.

What have you to say about that?

Mr. FIGUEROA. I would decline to answer.

Mr. KEARFUL. Do you advocate such sentiments?

Mr. FIGUEROA. I would not like to discuss that matter.

Mr. KEARFUL. Do you expect to advocate sentiments of that kind in *de la Raza*?

Mr. FIGUEROA. I do not write in *de la Raza*.

Mr. KEARFUL. You have nothing whatever to do with the policy of the magazine?

Mr. FIGUEROA. Yes; to bring together all the Latin-American countries with the United States, as you can read in all of the issues of the magazine *de la Raza*.

Mr. KEARFUL. Do you think it would tend to bring together in happy harmony the Governments of Central and South America with the United States by printing articles favorable to the Russian system?

Mr. FIGUEROA. I have not read that article, sir.

Mr. KEARFUL. I ask you the question—

Mr. FIGUEROA. But I have read the previous issues and I am sure that if you do so you will see that really it has been the program of the magazine *de la Raza*.

Mr. KEARFUL. I ask you the question if you think it would tend to harmony between this country and Central and South America to print articles favorable to the Russian system?

Mr. FIGUEROA. I have not read the articles.

Mr. KEARFUL. I have not asked you that. I ask you what you think about that policy.

Mr. FIGUEROA. Well, I do not think it is a good policy.

Mr. KEARFUL. You do not agree then with the statements made in this yellow booklet which has been circulated by Mexican officials in this country?

Mr. FIGUEROA. I do not know the booklet, sir. I told you before, this is the first time I see it.

Mr. KEARFUL. I read again from page 23 of the booklet:

Ever since Porfirio Diaz was driven out of power in 1910 the United States Government has threatened intervention. \* \* \* The present Administration's actions are well known. One day President Wilson is for a thing, and the next day he changes.

While the present Administration has not actually intervened by force of arms, it has prevented the Carranza Government from carrying out all the reforms of the revolution by its protests and threats to Carranza whenever his government contemplated putting into effect those reforms.

Mr. FIGUEROA. I would decline to discuss that matter.

Mr. KEARFUL. Again, on page 24:

Franklin K. Lane and his associates on the American-Mexican Joint Commission were attempting to browbeat the Mexicans into yielding the guarantees demanded by the Rockefellers, the Guggenheims, the Dodges, and the Dohenys.

Have you any sympathy with that statement?

Mr. FIGUEROA. I repeat that I would not like to discuss it.

Mr. KEARFUL. Do you believe that is true?

Mr. FIGUEROA. I repeat that I would not like to discuss it.

Mr. KEARFUL. Do you believe it is true that Franklin K. Lane, Secretary of the Interior, and his associates on the American-Mexican Joint Commission, were attempting to "browbeat the Mexicans into yielding the guarantees demanded by the Rockefellers, the Guggenheims, the Dodges, and the Dohenys"?

Mr. FIGUEROA. Really, I could not imagine that; I don't believe it.

Mr. KEARFUL. You don't believe that is true?

Mr. FIGUEROA. I don't think so.

Mr. KEARFUL. Do you remember that while we were at war with Germany, a large number of Hindus were arrested and prosecuted in San Francisco? Do you remember the circumstance and the celebrated trial that lasted for several weeks, during which two of the Hindus were killed in the courtroom?

Mr. FIGUEROA. I have an idea that I read something.

Mr. KEARFUL. They were convicted of a conspiracy having for its purpose opposition to this country and its allies. I quote a statement from the yellow booklet with reference to that matter, appearing on page 29:

And whenever the Hindus get tired of the beneficence of their British masters and plan to throw off the yoke of imperialism, the heavy mailed fist is used to crush the disciples of liberty. When necessary, it reaches out across the sea and finds ready help from the imperialistic forces of other countries. Witness the present United States Government coming to the aid of British imperialism and imprisoning Hindu rebels in this country! If you are a friend of freedom, that should make you think—and act!

Do you agree with that sentiment published in the booklet sent out by the Mexican officials in this country?

Mr. FIGUEROA. By Mexican officials, you say?

Mr. KEARFUL. Yes. Do you agree with that sentiment? Do you think that the Hindus who were convicted in San Francisco were real disciples of liberty and that they were persecuted by this country?

Mr. FIGUEROA. I am not prepared to discuss the matter. I don't think so, they were. Really, I am not prepared to discuss that.

Mr. KEARFUL. You think they were treated fairly and were properly prosecuted, do you?

Mr. FIGUEROA. That is my impression.

Mr. KEARFUL. I quote this final statement on page 29 of the yellow booklet:

We often hear about European imperialism, but how about American imperialism. All the weak Republics of Central America are well acquainted with this particular brand of imperialism. And the workers of these countries are among the worst-exploited and oppressed in either North or South America. When American capitalists can't manage the native governments, they call on the United States Government and soldiers are dispatched to the scene and government by foreign bayonets is established.

Do you believe that is true?

Mr. FIGUEROA. I don't think so.

Mr. KEARFUL. Are you personally acquainted with President Carranza?

Mr. FIGUEROA. Yes, sir.

Mr. KEARFUL. You are familiar with his policies?

Mr. FIGUEROA. I do not think that it is proper that you ask me such a question, sir.

Mr. KEARFUL. I did not ask you anything about his policies. I simply ask you if you are familiar with his policies; if you know him.

Mr. FIGUEROA. Anyway, I would refuse to discuss that.

Mr. KEARFUL. On June 14, 1919, at Mexico City President Carranza sent the following letter to Señor Lic. Manuel Aguirre Berlanga. What is his position in the Mexican Government?

Mr. FIGUEROA. He is the secretary of the interior.

Mr. KEARFUL (reading):

ESTEEMED FRIEND: Señor Lino Caballo, bearer of this letter, is the person who, in company with two friends, will bring to you the manifestos and the plan which they desire to put into practice in the State of Texas.

This plan being very favorable for Mexico, please aid them in every way and give the necessary instructions in the frontier States. I remain,

Your affectionate friend,

V. CARRANZA.

Do you know anything about a plan which it was the desire of President Carranza to put into practice in the State of Texas which would be very favorable for Mexico?

Mr. FIGUEROA. I do not believe there is one letter of truth in that.

Mr. KEARFUL. You do not believe that President Carranza sent such a letter?

Mr. FIGUEROA. I feel absolutely sure that is a lie.

Mr. KEARFUL. Why do you feel that so strongly?

Mr. FIGUEROA. Well, that is my conviction; but really I would not like to discuss that matter.

Mr. KEARFUL. Are you acquainted with a lady known as Senorita Hermila Galindo?

Mr. FIGUEROA. I don't know her.

Mr. KEARFUL. You have heard of her, have you?

Mr. FIGUEROA. What do you say?

Mr. KEARFUL. You have heard of her? You know her by reputation?

Mr. FIGUEROA. Yes; in American newspapers I have heard something about her.

Mr. KEARFUL. You know that she is the author of a book entitled "The Carranza Doctrine," do you not?

Mr. FIGUEROA. I have read that in the American newspapers.

Mr. KEARFUL. You have never seen the book yourself?

Mr. FIGUEROA. Never, sir.

Mr. KEARFUL. The following letter was addressed to Miss Galindo by President Carranza. This is a translation, of course.

Mr. FIGUEROA. Yes.

Mr. KEARFUL (reading):

MEXICO, D. F., June 29, 1919.

MISS HERMILA GALINDO,

*Ignacio Ramirez Street, No. 6, City:*

ESTEEMED YOUNG LADY: It is necessary that your book "The Carranza Doctrine," be finished in a short time, since I desire that you immediately proceed to write a second part of it, for which purpose I shall shortly send you a blue-book, which we are about to publish and which will serve to justify the attitude of my government in its systematic hostility toward foreign speculators, especially Americans and English.

Do not forget my injunction to describe in lively colors the tortuosity of the American policy with relation to our country, causing the figure of Wilson to stand well out as the director of that policy. I also enjoin you to be very careful about the corrections which I have made in the original (manuscript) which you brought me.

I salute you affectionately.

V. CARRANZA.

I should like to ask you, if you know, what you understand President Carranza to mean when he speaks of his Government's systematic hostility toward foreign speculators, especially Americans and English?

Mr. FIGUEROA. In the first place, I do not believe that President Carranza has written that letter. It is too stupid.

Mr. KEARFUL. You think President Carranza would not be stupid enough to write such a letter?

Mr. FIGUEROA. Absolutely not.

Mr. KEARFUL. Even if he entertained those sentiments?

Mr. FIGUEROA. Well, [after long pause], I resent, Mr. Judge, your questioning me in such a way. I don't think it is proper.

Mr. KEARFUL. Do you know of any systematic hostility toward foreigners by the Mexican Government?

Mr. FIGUEROA. I refuse to answer that question.

Mr. KEARFUL. You are informed, I assume, with respect to the diplomatic controversy that has arisen between the Department of State of this Government and the Mexican Government with reference to the oil properties?

Mr. FIGUEROA. I know something about that; I have read it; but I repeat that I would decline to discuss such matters as to my country.

Mr. KEARFUL. Is it your opinion that the Mexican Government had a right to nationalize the oil properties for the benefit of the people and take them away from the foreign owners?

Mr. FIGUEROA. I decline to discuss that matter.

Mr. KEARFUL. I am only calling for your own opinion, not for the opinion of your government or anybody connected with your government. That bears upon your enterprise in this country in connection with de la Raza.

Mr. FIGUEROA. That is the third time I told you I do not write in the magazine de la Raza.

Mr. KEARFUL. Do you object to giving your opinion of the right of the Mexican Government to nationalize the oil properties?

Mr. FIGUEROA. I do decline to discuss that matter.

Mr. KEARFUL. Have you seen the bluebook which is mentioned in this letter that I have just quoted from Carranza to Miss Galindo?

Mr. FIGUEROA. No, sir; I have never seen it.

Mr. KEARFUL. What do you understand to be the so-called Carranza doctrine?

Mr. FIGUEROA. I decline to talk about that question.

Mr. KEARFUL. Is it the Carranza doctrine, in substance, that foreigners in Mexico have no right to appeal to their own Government under any circumstances, notwithstanding the property which they own may be taken away from them?

Mr. FIGUEROA. I decline to discuss that matter.

Mr. KEARFUL. Do you understand the consequences of refusing to testify about a matter of fact within your own knowledge?

Mr. FIGUEROA. I do not know exactly the consequences, but, anyhow, I do decline to discuss matters of my country.

Mr. KEARFUL. You are living in this country under the protection of its laws, and you are connected with a magazine which, from an article in the December number, seems to indicate a policy favorable to the Russian Bolsheviki, and you decline to testify to your own convictions in regard to the nationalization of property, which is one of the prime elements of the Russian system.

Mr. FIGUEROA. Speaking again of the magazine, I say I am not the writer of the magazine, and it is one article signed by somebody. If you see dozens and dozens of the magazines, you will see that its policy has been very, very friendly to this country.

Mr. KEARFUL. You say that you have no commission of any kind from the Mexican authorities in this country?

Mr. FIGUEROA. Absolutely none.

Mr. KEARFUL. You have nothing to do with the Mexican secret service in this country?

Mr. FIGUEROA. No, sir.

Mr. KEARFUL. Is there anything further that you would like to state, Mr. Figueroa?

Mr. FIGUEROA. I do not think so, sir.

Mr. KEARFUL. The committee is very much obliged to you for your kindness in attending, and if you will make out a voucher for your traveling expenses and subsistence here it will be paid.

Mr. FIGUEROA. I thank you very much, sir.

Mr. KEARFUL. The matter of your refusal to answer certain questions will be considered and a determination made as to whether any further action will be taken in that respect.

Mr. FIGUEROA. All right, sir.

Mr. DESVERNINE. You might have it stated on the record that as to some of the questions which Mr. Figueroa refused to answer they contained the questioner's interpretation and construction and conclusion of legal documents and political theories and opinions which are not necessarily correct.

Mr. KEARFUL. That suggestion will be received and considered for what it is worth.



I think we will adjourn until 2 o'clock. I wish you would be here at that time.

Mr. DESVERNINE. Do you want me to come back?

Mr. KEARFUL. Yes; I think so.

Mr. FIGUEROA. Do you want me to come back also?

Mr. KEARFUL. No, sir.

(Witness excused.)

(Whereupon, at 12.10 o'clock p. m., a recess was taken until 2 o'clock p. m.)

AFTER RECESS.

The hearing was resumed at the expiration of the recess.

Mr. KEARFUL. Mr. Desvernine, will you answer some questions, please?

Mr. DESVERNINE. Surely.

TESTIMONY OF RAOUL EUGENE DESVERNINE.

(The witness was duly sworn.)

Mr. KEARFUL. Please state your full name.

Mr. DESVERNINE. Raoul Eugene Desvernine.

Mr. KEARFUL. What is your business?

Mr. DESVERNINE. I am a lawyer.

Mr. KEARFUL. What is your address?

Mr. DESVERNINE. 24 Broad Street, New York City, is my business address.

Mr. KEARFUL. With what firm?

Mr. DESVERNINE. I am a member of the firm of Hornblower, Miller, Garrison & Potter.

Mr. KEARFUL. You appeared here this morning as counsel for the witness, Emiliano Lopez Figueroa?

Mr. DESVERNINE. I did.

Mr. KEARFUL. You advised him, as I understand, that he need not answer any questions he did not want to answer, because nothing could be done with him upon his refusal; is that so?

Mr. DESVERNINE. I did not.

Mr. KEARFUL. Did you not give him such advice while you were in the hall in the presence of Mr. Paleri?

Mr. DESVERNINE. I did not.

Mr. KEARFUL. Do you know Charles A. Douglas?

Mr. DESVERNINE. I do.

Mr. KEARFUL. What position does he hold with reference to the Carranza Government?

Mr. DESVERNINE. I do not know.

Mr. KEARFUL. You are not aware that he has been personal counsel in this country for Mr. Carranza for some years?

Mr. DESVERNINE. I knew that he was.

Mr. KEARFUL. Do you know now that he is not now?

Mr. DESVERNINE. I do not.

Mr. KEARFUL. What is your association, if any, with President Carranza?

Mr. DESVERNINE. Our firm is counsel for the Mexican financial agency in the city of New York.

Mr. KEARFUL. Have you personally been employed to supplant Judge Charles A. Douglas as President Carranza's personal adviser?

Mr. DESVERNINE. I have not.

Mr. KEARFUL. Who composes the financial agency of Carranza in New York?

Mr. DESVERNINE. Do you mean who are the officials at the agency?

Mr. KEARFUL. Who are the members?

Mr. DESVERNINE. The only one I know is the financial agent, Dr. Alfredo Caturegli.

Mr. KEARFUL. Is he in this country at the present time?

Mr. DESVERNINE. He was two weeks ago to my knowledge.

Mr. KEARFUL. Is he here now?

Mr. DESVERNINE. I do not know; I have not seen him in two weeks.

Mr. KEARFUL. When were you last in Mexico?

Mr. DESVERNINE. During the months of April, May, June, and July.

Mr. KEARFUL. Of the present year?

Mr. DESVERNINE. Yes; 1919.

Mr. KEARFUL. While there did you meet an American named J. Salter Hansen?

Mr. DESVERNINE. I did.

Mr. KEARFUL. He is the person, you recall, who furnished the bail for the release of Consular Agent Jenkins?

Mr. DESVERNINE. So I read in the papers.

Mr. KEARFUL. Did you know J. Salter Hansen in this country?

Mr. DESVERNINE. I did not.

Mr. KEARFUL. Do you know whether he is the same J. S. Hansen whose address was No. 172 West Seventy-second Street, New York City?

Mr. DESVERNINE. I do not.

Mr. KEARFUL. Do you know what his occupation was or is?

Mr. DESVERNINE. No, sir; I do not.

Mr. KEARFUL. Do you know where he is?

Mr. DESVERNINE. I do not.

Mr. KEARFUL. How old does he appear to be?

Mr. DESVERNINE. He appears to me to be a man probably 40 to 45.

Mr. KEARFUL. Does he appear to be a native American?

Mr. DESVERNINE. Yes; I would say so.

Mr. KEARFUL. Do you know whether or not the J. Salter Hansen you met in Mexico City is the same person who is charged in the court of general sessions of New York City with an offense of committing an abuse upon a young girl and who was released on bail and defaulted?

Mr. DESVERNINE. I do not.

Mr. KEARFUL. You have heard about the circumstances of a telegram being sent by Rafael Nieto to Luis Cabrera in regard to the program for the release of Consular Agent Jenkins?

Mr. DESVERNINE. I have.

Mr. KEARFUL. Did you have anything to do with the preparation of that telegram?

Mr. DESVERNINE. Absolutely nothing.

Mr. KEARFUL. Did you have any consultation with Mr. Lopez Figueroa or Rafael Nieto previous to its being sent?

Mr. DESVERNINE. Absolutely none.

Mr. KEARFUL. Do you know where the telegram was prepared?

Mr. DESVERNINE. I do not.

Mr. KEARFUL. Do you know whether you or any member of your firm was consulted with reference to the sending of that telegram?

Mr. DESVERNINE. I do know that nobody, no member of our firm, was consulted respecting the sending of that telegram.

Mr. KEARFUL. Are you familiar with a recent bill passed by the Mexican Senate with reference to oil matters?

Mr. DESVERNINE. I am.

Mr. KEARFUL. Have you a copy of it?

Mr. DESVERNINE. Not with me.

Mr. KEARFUL. I had a copy, but I have mislaid it.

Mr. DESVERNINE. I am fairly familiar with it, because I took the trouble of translating it into English myself; I am fairly familiar with it.

Mr. KEARFUL. What was the substance of that bill with reference to its enforcement of the Carrancista doctrine of nationalization of oil properties?

Mr. DESVERNINE. When you say the Carrancista doctrine of nationalization of oil properties, I suppose you refer to article 27 of the present constitution.

Mr. KEARFUL. Yes.

Mr. DESVERNINE. And the existing decrees of the President putting into effect article 27?

Mr. KEARFUL. And the correspondence between the Mexican Government and our State Department with reference to the matter.

Mr. DESVERNINE. I would say—this is my interpretation—that the present bill, which passed the Mexican Senate, enforces the principles of article 27 of the constitution and the existing decrees.

Mr. KEARFUL. What effect did the passage of that bill have upon the operations of the financial agency of Carranza in New York?

Mr. DESVERNINE. None.

Mr. KEARFUL. What negotiations, if any, were had by this financial agency with reference to securing financial aid for the Carranza government?

Mr. DESVERNINE. The agency never conducted any negotiations to my knowledge.

Mr. KEARFUL. Have you or your firm been concerned in the conduct of any such negotiations?

Mr. DESVERNINE. We have.

Mr. KEARFUL. What effect did the recent oil bill passed by the Mexican Senate have upon those negotiations?

Mr. DESVERNINE. No effect whatsoever.

Mr. KEARFUL. What was the prospect of favorable outcome of negotiations before the passage of that bill?

Mr. DESVERNINE. Well, the negotiations had gotten to a period where they were just permitted to remain in statu quo; they were not continued at all.

Mr. KEARFUL. So your answer—

Mr. DESVERNINE. Therefore, I would say that this bill in no wise affected the pending negotiations to my knowledge.

Mr. KEARFUL. You wish to be understood as saying that the negotiations being dormant, after the passage of this bill they still remained so?

Mr. DESVERNINE. I do; that is, that we made no attempt to revive them, or nothing has been done whatsoever since the passage of that bill. The loan or anything has not been discussed in any way whatsoever.

Mr. KEARFUL. What is your opinion of the prospect of favorable result of the negotiations or unfavorable, as a result of the passage of that bill?

Mr. DESVERNINE. It would be my opinion that the negotiations would be greatly jeopardized by the passing of that bill.

Mr. KEARFUL. What advice did you give to your client, Mr. Emiliano Lopez Figueroa, as to whether he could be compelled to answer questions before the committee?

Mr. DESVERNINE. I read him a copy of the various sections of the Revised Statutes conferring the right upon a committee of Congress to require the attendance and examination of witnesses; I read him a copy of the two Senate resolutions creating this committee, and advised him that this committee, in my opinion, had the right to require the attendance and examination of witnesses, but it was doubtful, in my mind, as to whether or not they had such right respecting alien residents.

Mr. KEARFUL. You believe, then, that because a resident of this country is an alien he may defy the power of the Senate and Senate committees to cause him to testify as to facts within his knowledge?

Mr. DESVERNINE. I have not said so.

Mr. KEARFUL. Well, you said that you had a doubt about it.

Mr. DESVERNINE. I did. An examination of the law discloses that there is no precedent by any court which has so construed the statutes, so far as my examination went. I simply reported to him my examination of the authorities without any conclusions.

Mr. KEARFUL. You think that there is a doubt about the power of the Senate and Senate committees to require a man to testify to facts within his knowledge and relevant to the matter in inquiry, simply because he is a citizen of another country?

Mr. DESVERNINE. I will say that my examination of the law led me to that conclusion.

Mr. KEARFUL. That is all, unless you have some further statement you desire to make.

Mr. DESVERNINE. No; absolutely no statement.

Mr. KEARFUL. Thank you.

(Witness excused.)

(Mr. Philip Paleri was thereupon sworn as interpreter to interpret testimony of Mr. Rafael Martinez Carrillo.)

### TESTIMONY OF MR. RAFAEL MARTINEZ CARRILLO.

(The witness was duly sworn.)

Mr. KEARFUL. Please state your full name for the record.

Mr. CARRILLO. Rafael Martinez Carrillo.

Mr. KEARFUL. What is your profession?

Mr. CARRILLO. A lawyer.

Mr. KEARFUL. I will say whenever you have any doubt about your ability to express yourself perfectly in English you can speak in Spanish, and Mr. Paleri, the interpreter, will interpret it.

Mr. CARRILLO. To save your time.

Mr. KEARFUL. What is your address?

Mr. CARRILLO. My present address is 46 Cedar Street, New York City.

Mr. KEARFUL. What is your citizenship?

Mr. CARRILLO. Mexican.

Mr. KEARFUL. How long since you have been in Mexico?

Mr. CARRILLO. I left Mexico September, 1914.

Mr. KEARFUL. That was shortly after the entry of the Carrancista forces into Mexico City?

Mr. CARRILLO. One month later.

Mr. KEARFUL. Where did you live in Mexico?

Mr. CARRILLO. Independence Avenue, No. 39.

Mr. KEARFUL. You were practicing your profession there at that time?

Mr. CARRILLO. Yes, sir.

Mr. KEARFUL. Why did you leave Mexico?

Mr. CARRILLO. If you will permit me to make a statement before I answer that question, I will appreciate that. In the first place, for my part, I make the statement that was made this morning by Mr. Lopez Figueroa about the testimony of the Mexicans relating to the Mexican inside policies. After that I will say that I wish it be understood perfectly clear that I am not a Carrancista, nor am I connected with the Carranza government, nor can my feelings, my relations, or my thoughts in any way be connected with such a faction. In the first place, because that faction was put in power by the help of President Wilson. So that, as a Mexican, I reject any foreign interference in our Mexican internal affairs. The other reasons for which I do not agree with that faction I do not want to express now or in answer to any question that you may ask me, for the very reason that I do not like that the foreign branch of Government, expressing as this committee of the United States is doing, about the Mexican situation.

Mr. KEARFUL. I will suggest, Mr. Carrillo, you speak in Spanish and stop every sentence or two and let him translate.

Mr. CARRILLO (through the interpreter). Because I do not agree with interference of a foreign power in the Mexican internal situation. For this reason I do not like to testify officially before the Senate committee on internal questions of my country, although I refer to myself. For this reason I am not to express the other reasons for which the Carranza Government does not satisfy me.

Mr. KEARFUL. I understand that you are an exile from Mexico?

Mr. CARRILLO. Yes, sir.

Mr. KEARFUL. And that it would be unsafe for you personally to return to Mexico?

Mr. CARRILLO. Certainly.

Mr. KEARFUL. Do you possess properties in Mexico?

Mr. CARRILLO. Yes, sir.

Mr. KEARFUL. In what State?

Mr. CARRILLO. The State of Puebla.

Mr. KEARFUL. What has become of your properties in the State of Puebla?

Mr. CARRILLO. Some are taken by the Government, some are given to the Indians, and the others are ruined by the revolution. They have stolen all the mules and cattle and everything.

Mr. KEARFUL. By whom were the mules and cattle and everything stolen?

Mr. CARRILLO. Some by thieves, some more by the forces of Carranza.

Mr. KEARFUL. When did these transactions occur?

Mr. CARRILLO. All during five years at different times.

Mr. KEARFUL. During the five years which you have been absent from Mexico?

Mr. CARRILLO. Yes, sir.

Mr. KEARFUL. What was the extent of your properties in Puebla?

Mr. CARRILLO. It must be about 2,000 acres.

Mr. KEARFUL. Two thousand acres?

Mr. CARRILLO. Something like that.

Mr. KEARFUL. So this—

Mr. CARRILLO. No, no; about 3,000 acres; I think between 2,000 and 3,000. I want to say about 3,000 hectares, and I think a hectare is about  $2\frac{1}{2}$  acres, each hectare.

Mr. KEARFUL. And you have about 3,000 hectares?

Mr. CARRILLO. Which means  $2\frac{1}{2}$  acres to each hectare.

Mr. KEARFUL. That would be about 7,500 acres.

Mr. CARRILLO. Something like that.

Mr. KEARFUL. Was this land under cultivation?

Mr. CARRILLO. Most of it, and there are mountains.

Mr. KEARFUL. And was the place stocked with mules and implements and everything for cultivation?

Mr. CARRILLO. In full.

Mr. KEARFUL. And all those things have been taken?

Mr. CARRILLO. Yes, sir.

Mr. KEARFUL. Why did you feel compelled to leave Mexico?

Mr. CARRILLO. Well, because I understood I could not be safe there.

Mr. KEARFUL. When do you expect to return to Mexico?

Mr. CARRILLO. I do not know.

Mr. KEARFUL. Upon what event would it be safe for you to return to Mexico?

Mr. CARRILLO. Well, as soon as justice reigns in my country.

Mr. KEARFUL. Are you acquainted with American Consular Agent W. O. Jenkins?

Mr. CARRILLO. Yes, sir; he is my friend.

Mr. KEARFUL. You heard the testimony of Mr. Lopez Figeruoa this morning?

Mr. CARRILLO. Yes, sir; I did.

Mr. KEARFUL. In regard to the sending of a telegram by Rafael Nieto to Luis Cabrera for the purpose of procuring the release of Mr. Jenkins from prison?

Mr. CARRILLO. Yes, sir; I did hear it.

Mr. KEARFUL. What do you know about the formulation of that telegram?

Mr. CARRILLO. Nothing at all.

Mr. KEARFUL. Did you have any conversation with Lopez Figueroa or Rafael Nieto with reference to the sending of the telegram?

Mr. CARRILLO. Yes, sir; not about the telegram, but about the case.

Mr. KEARFUL. Did you make any suggestion in regard to the matter of the case?

Mr. CARRILLO. Yes, sir; I did.

Mr. KEARFUL. What was that?

Mr. CARRILLO. That I have read in the newspapers that the court at Puebla had granted Jenkins to be free on bail of 1,000 pesos, which means \$500, and one evening that I left my office later than usual I read in the Evening Sun the sharp note of the Department of State to Carranza requesting that Jenkins be put free. I understood that if Carranza surrendered that would be a very bad precedent for the justice of my country, if at any time any foreign country can ask by its Government that a person that is under authority of the Mexican court be free. So I think that would be a very bad precedent for Mexico to surrender. On the other side, I thought that if Carranza does not surrender the United States can interfere there, make intervention, and in case of intervention it would be harmful to both countries, and especially to Mexico. So that I think that if somebody would give the bail or give the money the matter could be settled in a good way for both Governments. As I have no relation with any person in that Government and as Mr. Lopez Figueroa is a friend of mine, the same evening I called up his home by phone and he was not there, so the next morning I called him again by phone. He told me that he liked the idea and if I would be pleased to go to his office and talked about that. I went immediately over there and I told him that I was ready myself to give the bail, the money; that I have some relatives who live in Puebla, and that I could send a telegram requesting them to give the bail or give the money. Mr. Figueroa answered me that he did not know anything about law, but he likes the idea, and Mr. Nieto is there and he will call to see him. So he called Mr. Nieto. Mr. Nieto came in. Mr. Figueroa introduced me to Mr. Nieto and he came with me. I told him the idea. Mr. Nieto told me that he liked it. And so I left them in that office, and I knew nothing more until after two days when I read in the newspaper that Mr. Jenkins had been released.

Mr. KEARFUL. This occurred at the office of the magazine de la Raza?

Mr. CARILLO. No, sir; I do not know where is the office of the magazine de la Raza. This is a private office of Mr. Figueroa in 120 Broadway.

Mr. KEARFUL. Are you acquainted with Mr. Caturegli, the financial agent of the Carranza Government in New York?

Mr. CARILLO. Only by sight. I have talked with him socially two or three times in my life.

Mr. KEARFUL. Did you approach Mr. Caturegli in reference to this matter of releasing Jenkins before you spoke to Mr. Figueroa?

Mr. CARILLO. No, sir; I went to see Mr. Caturegli about 10 days before, because I read in the newspaper a letter that the Senator from Tennessee gave to the press referring to the Jenkins case saying that Mr. Jenkins has sent that letter. It seems to me that there was something very singular in that letter from the knowledge that I

have of the City of Puebla, and I went to see Mr. Caturegli with the clipping of the newspaper, suggesting to him that it would be good if he would send by telegram all that letter so that all Puebla could see if Mr. Jenkins had the position before the court as stated in the New York paper, because I had the idea this was not so. Mr. Caturegli told me that probably the Mexican consul had already sent that news to Mexico. So I did not see him any more.

Mr. KEARFUL. You say that you are a lawyer?

Mr. CARILLO. Yes, sir.

Mr. KEARFUL. You are familiar with the law and procedure in Mexico?

Mr. CARILLO. I think a little.

Mr. KEARFUL. Do you know what are the provisions of the code of penal procedure in reference to releasing a prisoner under bail?

Mr. CARILLO. I do not remember at the present time exactly, but you have here some Mexican constitutions, that of 1857 or 1917.

Mr. KEARFUL. I will read to you the provision of article 443, chapter 3, of the code of penal procedure of Mexico, and Mr. Paleri will read it in Spanish.

Mr. CARILLO. I understand it.

Mr. KEARFUL (reading):

Liberty under bond may be asked by the party in interest, or by his defender, or by his legal representative.

Just repeat it in Spanish.

Mr. CARILLO. I understand it perfectly well.

(The quotation was translated by the interpreter.)

Mr. KEARFUL. And article 445 of the same law provides as follows:

When the motion is made the judge shall summon the parties, except the civil party, within the third day, to a hearing in which each one may allege whatever favors his right, and the corresponding decision, which shall be appealable in both effects, shall be pronounced immediately.

Will you repeat that?

Mr. CARILLO. I understand perfectly well, sir.

(The quotation was thereupon translated by the interpreter.)

Mr. KEARFUL. I quote now from the new codes of the federation, article 356:

Liberty under bond may be asked for by the party in interest, by his defender, or by his legal representative at any stage of the trial after the investigating declaration has been rendered.

(The quotation was translated by the interpreter.)

Mr. KEARFUL. And article 357 of the same law:

When the motion is made, the judge or court shall substantiate the incident in separate proceedings and without suspending the criminal procedure. In this incident the proofs of the party in interest shall be received with citation of the public bureau (attorney general's office). In the order in which the proofs are ordered received the parties shall be summoned to a hearing, which shall be held within three days, and at which the corresponding decision shall be pronounced, which shall be appealable in the effect of devolution (referred to its former state if the motion is sustained).

(The quotation was translated by the interpreter.)

Mr. CARILLO. I know all those articles.

Mr. KEARFUL. Is it not clear from those articles that it is in violation of the law of Mexico for any person other than the prisoner or his counsel or his legal representative to apply for release under bail?



Mr. CARRILLO. I do not think so. Those articles speak for themselves. You are saying in your question that from those articles it appears that nobody else but the prisoner or the defender or the legal representative. The articles do not say that. The articles give to those people the power and authority to do it, but do not forbid anybody else to do that.

Mr. KEARFUL. One moment. Is there any other provision of the law of Mexico that you can cite that gives to any other person the right to apply for release under bail?

Mr. CARRILLO. Yes; I must say this about that matter: In the State of Puebla they passed a special code; it is not the code of Mexico or the federal code. The State of Puebla has its own code. But, as I read it, the provision of that code is like this one—nearly like that. When I read the newspapers and I gave this advice it was with the understanding, according to what the newspaper said, that the release on bail was already accorded when they said the amount of 1,000 pesos.

Mr. KEARFUL. Without having been asked for?

Mr. CARRILLO. I do not know how that could be, without asking for it; but I know some more. The constitution that is the supreme law of the country, being that of 1857 or 1917—either of those—says that as long as it appeared that the indicted man deserved a penalty of less than five years in prison—something like that—he must be put free under bail. That is imperative. That is a guaranty for all men and it is the duty for the judge.

Mr. KEARFUL. Provided bail is requested; is not that so?

Mr. CARRILLO. No; it does not say that. If you have a Mexican constitution here, I can show you better, in order for you to have a full idea of my meaning; but I supposed that the release on bail was already considered, according to what the newspapers said. The state of the proceedings I do not know. I know only what the press said.

Mr. KEARFUL. Well, the press said, did it not, that in a communication from the department of foreign affairs in Mexico to the State Department of this country the prisoner could be released by giving bail in the sum of 1,000 pesos, and intimated that he could be released upon applying for and giving such bail. Is not that the news item you saw?

Mr. CARRILLO. Not exactly. As I read it, it was agreed to put him free under bail of 1,000 pesos; but by all means, according to our jurisprudence, according to the law of amparo, any man, any relative, or anyone taking an interest in the prisoner can act in his behalf.

Mr. KEARFUL. Over his objection?

Mr. CARRILLO. Over his objection—I do not know whether over his objection, because I think the matter is only a matter of civil effect and not of social or political or penal effects. If a man go and raise bail without the consent of the man in whose favor it is given then he would not have the right to collect the money he paid. If it is given with his consent then he has the right to be reimbursed it if he suffers some damage. For that reason I said to Mr. Figueroa that I was ready myself to give the money in behalf of Mr. Jenkins in order to make good to the Mexican Government and to the American Government.

Mr. KEARFUL. You did not furnish the money yourself, did you?

Mr. CARRILLO. No; but I offered it myself to Mr. Figueroa.

Mr. KEARFUL. You presume, do you, that as a result of that telegram the money was furnished by Luis Cabrera?

Mr. CARRILLO. I know nothing about that, sir.

Mr. KEARFUL. Is it not true under the constitution of Mexico, either the constitution of 1857 or that of 1917, that the Federal tribunal alone has jurisdiction in criminal matters of consular agents of a foreign Government?

Mr. CARRILLO. Certainly never have I thought on that question until now, and for me I think not. Of course, that is a matter of opinion, because I have heard some others different. The Mexican constitution says the Federal tribunals would have jurisdiction over the matters of the diplomatic corps and the consular agents, but I understand that is equal to the American Constitution; the United States Constitution says the same. But I understand that that refers to the Mexican diplomatic corps and Mexican consular agents, so that if a Mexican consul does something wrong in New York, the Federal courts are entitled to know about the matter. It can not refer to the diplomatic corps, because you know that a diplomat enjoys immunity. So I believe that article refers only to the diplomatic Mexican corps and the Mexican consuls. Of course, that article could be understood in some other way, but according to my understanding it refers only to the Mexican diplomats. If the Mexican Ambassador does something here in the United States and can not be punished here he would be punished in Mexico under the authority of the Federal courts, not the State courts. That is the manner in which I understand that question.

Mr. KEARFUL. Do you not know that the Mexican Constitution of 1917 gives exclusive jurisdiction to the Federal courts not only of members of the diplomatic corps but also of consular agents?

Mr. CARRILLO. That is, that provision is equal to 1857 and equal to the Constitution of the United States of America.

Mr. KEARFUL. How then could it be possible that the State court of Puebla could take jurisdiction of an alleged offense by a consular agent when the constitution itself provides that only the Federal courts could have jurisdiction of such offenses?

Mr. CARRILLO. I told you, I believe, that article refers to the diplomatic corps of Mexico, to the Mexican representatives abroad and the Mexican consular agents abroad, because the United States Ambassador in Mexico is by no means under the Mexican authority. It can not refer to that diplomatic corps, because you know that the American Ambassador in Mexico has immunity. For that reason I do not think that article refers.

Mr. KEARFUL. You think that article then has no reference whatever to American diplomatic representatives or American consuls in Mexico?

Mr. CARRILLO. That is my opinion, and it is more so because the United States Constitution has an equal provision and several consuls here in the United States have been indicted by the courts of the States of the United States notwithstanding that provision of the United States Constitution.

Mr. KEARFUL. Of course, he would have to object to the jurisdiction of the court, and if he failed to object the court could proceed.

Mr. CARRILLO. Of course.

Mr. KEARFUL. You took no steps yourself to procure any of your relatives in Puebla to have Jenkins released by giving bail?

Mr. CARRILLO. No, sir.

Mr. KEARFUL. Why did not you do that instead of going to Mr. Figueroa?

Mr. CARRILLO. Because I believed that as this matter was referring to the international relations between the two Governments, it would be better done to do it without the knowledge of the Carranza government; and as I have no relations with that government, it would be necessary for me to say, as I explained to Mr. Figueroa, that I was not in favor of the Carranza government, but in behalf of my own country and in behalf of the United States, not because I believe that the United States would be a weak nation—I know how powerful it is—but I think notwithstanding it would be a dangerous step to have armed intervention in Mexico, and that is what I want to avoid by all means. It was the only idea I had, and Mr. Figueroa understood that perfectly well, the same as Mr. Nieto.

Mr. KEARFUL. Was any suggestion made that the release should be procured to be effected by some American down there?

Mr. CARRILLO. No, sir; I could not make any suggestion myself, so I said, "They don't like me." I understood there would be some other Mexicans in Puebla that would be ready to give that money.

Mr. KEARFUL. How did you understand that? Had you received communications?

Mr. CARRILLO. No; because I understand all Mexicans have feelings like mine.

Mr. KEARFUL. What induced you to feel that there was danger of American intervention in Mexico on account of Jenkins?

Mr. CARRILLO. Because that note was the second, and was in such a sharp manner that the man be free, and Jenkins a man of great capital, has millions, and don't want to give a bail of \$500; that means that he is looking for some difficulty between both countries.

Mr. KEARFUL. That is not the first or the second sharp note that you have known to be addressed by this country to Mexico?

Mr. CARRILLO. No; the second. The first I don't remember about. It said that Carranza was only—it went to show the lack of—in order to mislead the public of Mexico and the United States about his lack of power to control Mexico, he was trying to prosecute Jenkins, something like that, and finished with some threat. That, of course, I understood must be very serious when it come from the chancellery of the Government. For that reason I would like by all means that that would be settled in some manner that would be dignified for the Mexican Government and for the United States, because, being free, Mr. Jenkins is now in better position to prove his innocence, if he is innocent. He can do it much better than if he was in jail.

Mr. KEARFUL. You really believed, then, that the sharp note, or at least the second sharp note, that was sent demanding the release of Jenkins meant what it said?

Mr. CARRILLO. I supposed so. Had it not been for that I would not worry.

Mr. KEARFUL. You can recall to mind quite a number of sharp notes that were sent to Mexico that produced no effect?

Mr. CARRILLO. More, unfortunately. It is true what you are saying, exactly; but we can not know if some time there could be something bad, and especially, when I could see in this case that Mr. Jenkins refused or did not want to give the bail of \$500, which was nothing for him.

Mr. KEARFUL. You did not know when the time might come when the last straw might break the camel's back?

(Question translated by the interpreter.)

Mr. CARRILLO. It could be; it could be, exactly.

Mr. KEARFUL. Are you personally acquainted with Luis Cabrera?

Mr. CARRILLO. Yes, sir; he has been in my office in Puebla two or three times. Those are the only times I have seen him.

Mr. KEARFUL. You have not seen him since your exile from Mexico?

Mr. CARRILLO. Oh, no; it was much before. I told you I lived in Puebla City before I moved to Mexico, and because of some business he had in Puebla he wanted to look for my help in that case.

Mr. KEARFUL. You are not familiar, then, with his recent sentiments of friendship toward Americans?

Mr. CARRILLO. No, sir; I wrote him a letter about five years ago, before I left Mexico, and he did not answer that letter, so that I have not any relation with him.

Mr. KEARFUL. Is there any further statement that you would like to make to the committee?

Mr. CARRILLO. No, sir.

Mr. KEARFUL. Then the committee is very much obliged to you, and if you will sign a statement of your expenses, they will be paid you.

Mr. CARRILLO. Thank you very much, sir.

(Whereupon, at 3.05 o'clock p. m., the committee adjourned to meet on Monday, January 5, 1920, at 11 o'clock a. m.)



# INVESTIGATION OF MEXICAN AFFAIRS.

MONDAY, JANUARY 5, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,  
*Washington, D. C.*

Testimony taken at Washington, D. C., January 5, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the Subcommittee of the Committee on Foreign Relations of the Senate.

## TESTIMONY OF MRS. CORA LEE STURGIS.

(The witness was duly sworn.)

MR. KEARFUL. Please state your full name.

MRS. STURGIS. Cora Lee Sturgis.

MR. KEARFUL. What is your present place of residence?

MRS. STURGIS. 1226 Irving.

MR. KEARFUL. Northwest, Washington, D. C.?

MRS. STURGIS. Yes, sir.

MR. KEARFUL. You have been in Mexico, Mrs. Sturgis?

MRS. STURGIS. Yes.

MR. KEARFUL. When did you first go there?

MRS. STURGIS. 1906.

MR. KEARFUL. What State of Mexico were you in?

MRS. STURGIS. Chiapas.

MR. KEARFUL. What sort of industries do they have in Chiapas?

MRS. STURGIS. Coffee growing, cattle, and chocolate growing, and henequen.

MR. KEARFUL. It is an agricultural country, is it?

MRS. STURGIS. An agricultural country, yes; an agricultural State.

MR. KEARFUL. Is it good land?

MRS. STURGIS. Oh, very fine land; some of the best land in Mexico.

MR. KEARFUL. Were there many planters in Chiapas when you went there?

MRS. STURGIS. Well, down around Pichucalco, but where we lived there were not very many.

MR. KEARFUL. With whom did you go to Chiapas?

MRS. STURGIS. With my husband, Dr. Charles T. Sturgis.

MR. KEARFUL. And were your mother and father also there?

MRS. STURGIS. No; they came down to see me in 1913 on a visit.

MR. KEARFUL. In what business were you and your husband engaged?

MRS. STURGIS. The raising of cattle and coffee.

Mr. KEARFUL. How many acres of land did you have?

Mrs. STURGIS. Three thousand.

Mr. KEARFUL. Did you own this land?

Mrs. STURGIS. Yes, sir.

Mr. KEARFUL. Bought it and paid for it?

Mrs. STURGIS. Yes, sir.

Mr. KEARFUL. How many acres did you have in cultivation?

Mrs. STURGIS. We had 125,000 coffee trees—I can not tell you the number of acres we had in cultivation, but half of it was in cultivation.

Mr. KEARFUL. The remainder was grazing land?

Mrs. STURGIS. Yes, sir.

Mr. KEARFUL. Do you remember how many head of cattle you had?

Mrs. STURGIS. Well, when they raided us we had 300 head.

Mr. KEARFUL. And what year was that?

Mrs. STURGIS. 1917 and 1918.

Mr. KEARFUL. Did you have the place well stocked with work horses?

Mrs. STURGIS. Yes, sir.

Mr. KEARFUL. And provisions?

Mrs. STURGIS. Everything; we had a well-stocked farm; provisions of all kinds, medicines, horses, cattle, agricultural implements, and a great deal of coffee stored away.

Mr. KEARFUL. And you had some money on the premises?

Mrs. STURGIS. Yes.

Mr. KEARFUL. Pigs and chickens, etc.?

Mrs. STURGIS. Chickens and hogs and goats.

Mr. KEARFUL. What Government existed in Mexico at the time when you first went there?

Mrs. STURGIS. Diaz.

Mr. KEARFUL. Was there ever any disturbance or trouble in the State under the rule of Porfirio Diaz?

Mrs. STURGIS. Never; you were perfectly safe down there; never had any trouble.

Mr. KEARFUL. Did the people of the State of Chiapas revolt against Diaz?

Mrs. STURGIS. No indeed, they did not, and never did until they were made to.

Mr. KEARFUL. Was there any trouble under the rule of Francisco Madero?

Mrs. STURGIS. No; the people seemed to like him; the people liked Madero; they were somewhat contented with Madero.

Mr. KEARFUL. Madero fell in February, 1913, and Huerta assumed the presidency.

Mrs. STURGIS. Yes.

Mr. KEARFUL. Was there any trouble during Huerta's time?

Mrs. STURGIS. No; the people in that part of the country hardly knew Huerta was in. They did not have any trouble down there. They didn't have much trouble when Huerta was in.

Mr. KEARFUL. Huerta abdicated in July, 1914.

Mrs. STURGIS. Yes.

Mr. KEARFUL. When did the troubles begin in Chiapas?

Mrs. STURGIS. Well, when we had our first trouble was in 1915, in November, when Carranza sent his troops to our place and drove all our servants away—all our workers away.

Mr. KEARFUL. And there never was any trouble in Chiapas until the Carrancistas came in?

Mrs. STURGIS. No; not to speak of.

Mr. KEARFUL. Was it safe to travel in any part of the country during the time of Porfiro Diaz?

Mrs. STURGIS. Oh, yes; you could travel at night and you could carry any amount of money with you, because we traveled at that time, too; there never was any trouble there. You were safer there than you are right here in Washington right now. Everything was safe in Diaz's administration; everybody was making money and everybody was contented.

Mr. KEARFUL. What was the attitude of the natives toward you and other foreigners in Chiapas?

Mrs. STURGIS. Why, the workers of the State of Chiapas would rather work for Americans than for the natives.

Mr. KEARFUL. What was the reason?

Mrs. STURGIS. Because we paid them better and treated them better.

Mr. KEARFUL. What was your first troublesome experience and when was it?

Mrs. STURGIS. It was in November. The first trouble we had was in November, 1915, when Carranza sent his troops to our plantation and drove all our workers away.

Mr. KEARFUL. Who was in command of the troops?

Mrs. STURGIS. Felisando Gonzales.

Mr. KEARFUL. Did he claim to be a Carrancista?

Mrs. STURGIS. Oh, yes; he commanded in a little town just 4 leagues from where we lived.

Mr. KEARFUL. What representations did he make to the native workmen in order to get them to join the army?

Mrs. STURGIS. He said to them, "Don't you want to mount your patron's horse and put on his spurs and be a señor?" Be a mister, you know, a great man.

Mr. KEARFUL. And what representations did he make in regard to looting and dividing property?

Mrs. STURGIS. He said: "We are going to drive out all the foreigners and divide their property up among the followers of Tata Carranza"—Father Carranza, that is.

Mr. KEARFUL. Tata is an affectionate term meaning daddy or something like that?

Mrs. STURGIS. Yes; that is it.

Mr. KEARFUL. Daddy Carranza?

Mrs. STURGIS. Yes. Among the Indians and the ignorant class of people that is what they call him, Tata Carranza. And he is a daddy all right among the people down there. He has certainly complied with his word.

Mr. KEARFUL. Please proceed and describe the experiences that you had one after another.

Mrs. STURGIS. Well, that was our first experience. Then, in 1917, we were attacked by Capt. Julio Castigan and Capt. Garcia, Federal captains.



Mr. KEARFUL. Carrancistas?

Mrs. STURGIS. Yes, sir; Carrancistas.

Mr. KEARFUL. What did they do?

Mrs. STURGIS. They came to our house about 8 o'clock at night and accused us of having rebels hidden in our house.

Mr. KEARFUL. Before you relate that, what was the effect upon the operation of your plantation of the representations that were made by the Carrancistas in regard to dividing up the land and taking the property?

Mrs. STURGIS. Why, the servants did not want to go away; they cried and did not want to go away, but they told them if they did not go away they would hang them.

If we catch you back working for these gringos we are going to hang you. We are going to take their property and divide it up.

Mr. KEARFUL. And what effect did that have on the operation of your plantation?

Mrs. STURGIS. Why, we lost everything; we lost all our crop. It was just in November, the coffee picking season, and we lost all our coffee crop that year, and we lost our corn and everything we had.

Mr. KEARFUL. Did they take anything from the place at that time?

Mrs. STURGIS. No; just the servants; drove them away, all the workers; they took nothing else at that time.

Mr. KEARFUL. Have you been able to work the place from then on?

Mrs. STURGIS. No, sir; from that time on we could not do anything at all.

Mr. KEARFUL. You stayed on there after that, however?

Mrs. STURGIS. Yes, sir; because the American Government advised us to stay.

Mr. KEARFUL. You say the American Government advised you to stay?

Mrs. STURGIS. Yes; we had advice from the American consul in Frontera Diaz telling us to stay.

Mr. KEARFUL. You have heard the advices given to Americans to leave their places in Mexico, have you not?

Mrs. STURGIS. We never were advised to leave. We left word with the American authorities in Pichucalco and in San Juan and Frontera to advise us if there was anything serious, because we were in the interior of Chiapas and we had no mails at that time; the mails did not come through, and we told them to advise us if there was anything serious.

Mr. KEARFUL. You remember the incident of the taking of Vera Cruz in 1914?

Mrs. STURGIS. Yes; when Huerta was in.

Mr. KEARFUL. Did you have any trouble at that time?

Mrs. STURGIS. No; it did not seem to affect the people much down there.

Mr. KEARFUL. There were no Carrancistas in there then?

Mrs. STURGIS. No; there were no Carrancistas in there then; there were Huertistas and Maderistas—that is what they call them. I call some of these names in Spanish. If you don't understand them, just tell me.

Mr. KEARFUL. What happened then, upon the occasion of the second visit to your plantation?

Mrs. STURGIS. They made us prisoners and beat us with their guns, my husband, my mother, and myself, and then they brought me out of the corner of the room—they had pushed us into the corner of the room and surrounded us by soldiers, and then they said, "Now, señora can go with us over the house and help us search for the rebels." They said we had rebels hidden in our house. Capt. Garcia took me at the point of his gun with 10 soldiers, and he says, "Now, you go over the house and we will search for these rebels."

Mr. KEARFUL. Did they find any rebels?

Mrs. STURGIS. No. My husband says, "We are American citizens and you have no right to treat us like this." He says, "You know we have no rebels in our house." He says, "Hush up your mouth, old man." That is what they called him. "Hush up your mouth."

Mr. KEARFUL. What did they say to the warning that you were American citizens?

Mrs. STURGIS. They said, "Shut your mouth." They said, "We don't care about the old America—the old gringos." They called us gringos. They said, "What are gringos to us? We are going to drive you all out, anyway." That is what they said to my husband when he said we were American citizens.

Mr. KEARFUL. What did they then do?

Mrs. STURGIS. They then carried me at the point of the gun all over the house. When they finished searching the house, of course, they found nothing. Now, they said, "You have got to climb on the roof."

Mr. KEARFUL. Did you rebel at that?

Mrs. STURGIS. I said, "I am no roof climber; I am an American citizen. You have no right to treat me like this and I am not going to climb on the roof." And with that he struck me with his gun over the shoulder.

Mr. KEARFUL. Then what occurred?

Mrs. STURGIS. And I said, "You will pay for this to the American Government."

Mr. KEARFUL. Did that cause him any uneasiness?

Mrs. STURGIS. He said to me, "Oh, your old Government is nothing but a bluff. We are not afraid of it. Tell them what you please. We are going to drive all the Americans out of here." That is the way he answered me.

Mr. KEARFUL. And divide up their property?

Mrs. STURGIS. Yes; that is what he said, "Divide up your property. This property belongs to Carranza."

Mr. KEARFUL. What did they do then?

Mrs. STURGIS. Then they came downstairs—I would not climb on the roof and they did not climb on the roof either. We came downstairs then. I was badly hurt. I was so hurt I could hardly hold my shoulder up. They came downstairs and pushed me in the corner again with my husband and my mother and went around the house and helped themselves to some things around the house—not very much; something to eat and some little toilet articles we had around the house, and then went away and said if we did not get out of Mexico they would attend to us.

Mr. KEARFUL. What was the next experience you had?

Mrs. STURGIS. Then my husband gave an account of this outrage to the consul in Frontera, and also to the consul in San Juan, because at that time we could not get out, the revolution was so bad, and the road was full of rebels and of Carranza troops, and the one is just about as bad as the other in that part of the country. And the consul sent us a telegram and told us it was very dangerous traveling and if we had no more trouble we had better stay at the plantation, because he thought things would get better and then we could get out.

Then we had no more trouble except threatening us. We stayed at the plantation and were very careful and had no more trouble until June, 1918.

Mr. KEARFUL. Was there anyone whom you could leave in charge of the plantation in case you left?

Mrs. STURGIS. We tried to get somebody, but they said, "It would be as much as our life is worth; you can't tell what they would do. We would not dare."

Mr. KEARFUL. That is what they would tell you?

Mrs. STURGIS. That is what they would tell us. "They will burn your house down. If you go away you might just as well give what you have over to the Carranza Government." That is what all the neighbors would say to us. The neighbors felt very kindly toward us; we have a great many friends among them.

Mr. KEARFUL. Did you ever have any trouble at all with any of your neighbors?

Mrs. STURGIS. No.

Mr. KEARFUL. That is, with the Mexicans?

Mrs. STURGIS. No; never had any trouble with them; they were always very nice to us.

Mr. KEARFUL. How were the Mexicans treated—those who owned plantations?

Mrs. STURGIS. Oh, why, they used to tie them up—the Carranza soldiers passed by our plantation with 25 Mexicans tied, with their arms tied behind them and ropes around their necks—rich ranchmen—and they carried them over to the little town 4 leagues from us and told them they were going to kill them; and I went over to the town, and of course the Mexican women in that town knew me, and me being a foreigner they came to me and said, "Can't you do anything with the commander here in the town? They are going to kill them." Of course, their wives had come in to see about it. "They are going to kill them Friday," they said. I said, "I will do what I can for you. I will see the commander of the town," who was Felisando Gonzales. And I went to see him and I said to him, "You should not kill all the innocent men; they have done nothing. If you want money, ask them for money and they will give it to you. Don't kill them. It is a shame. They are some of the best men of Chiapas."

Mr. KEARFUL. Had they rebelled against Carranza?

Mrs. STURGIS. No; they were just neutral. They stayed at the plantations. They were not Carrancistas; they were neutral.

Mr. KEARFUL. Just attending to their own business?

Mrs. STURGIS. Yes; just attending to their own business and working their farms. I knew every one of them—my husband, too—they were good men, good citizens, and wealthy men.

And so he told me that he was not going to kill them. He says, "I am just bluffing." So he got a fine out of each of them and turned them loose, and then they all became rebels after that. That is why you have the revolutions down there. The best people are with the revolutionaries because Carranza has made them rebels.

Mr. KEARFUL. Where were you in the point of your story?

Mrs. STURGIS. I was telling you about the attack, when we were carried away prisoners in 1918, in June.

Mr. KEARFUL. What had become of your father?

Mrs. STURGIS. My father died; that was the year before. Then my mother stayed on there because we could not get out. My father died of dropsy. He was quite an old man. And we put him there in a vault, provisionally, until we can take him out of Mexico.

Mr. KEARFUL. You stayed on the place until—

Mrs. STURGIS. We stayed on the plantation until June 26, 1918, when we were surrounded by these rebels commanded by Cal y Mayor.

Mr. KEARFUL. Just describe that incident.

Mrs. STURGIS. Well, they came about 10 o'clock in the morning to our house, surrounded the house, and they had with them 30 Federal soldiers known by us.

Mr. KEARFUL. Federal soldiers?

Mrs. STURGIS. Thirty Federal soldiers known by us. Of course there were Federal troops all around over the country when these rebels came out—Carranza troops.

Mr. KEARFUL. To what party did the rebels claim to belong?

Mrs. STURGIS. They were Zapatistas.

Mr. KEARFUL. They claimed to be Zapatistas?

Mrs. STURGIS. Yes; Cal y Mayor is commander in chief of all the Zapatistas in that section of Mexico.

Mr. KEARFUL. And he had with him 30 Federal soldiers whom you knew?

Mrs. STURGIS. Yes; some of our servants, some of our workers. They had been made Federal soldiers and they were with him.

Mr. KEARFUL. What happened at that time?

Mrs. STURGIS. They carried away all our horses and all the household utensils they could carry; robbed the house completely and carried off all of our clothes.

Mr. KEARFUL. How much money did you have in the house at that time?

Mrs. STURGIS. Twenty thousand of my husband's and \$3,000 American money of my mother's; and they looted all of the provisions out of the house—salt, sugar, and medicines, and everything we had in the house. We had our plantation well stocked at that time; and they made us get ready to go to the camp. They said, "We are going to take you to the camp." And, my husband being a dentist, they said, "You must take your instruments with you, your dental outfit, to the camp." Of course he did do dental work at the plantation. A good many Mexicans came to the plantation to have dental work done.

I begged them to leave my mother at the plantation, not to take her. I said, "Mother is old and can't stand this trip. Leave her here if you take us." And they were about to put a rope around my

neck for asking them. They had a rope and were to put it around my neck when I told them that. "Get ready," they said; "we don't care anything about your old mother." That is the way they answered me.

Mr. KEARFUL. What sort of conveyance did they provide for you?

Mrs. STURGIS. They made my husband and myself walk.

Mr. KEARFUL. How far was it?

Mrs. STURGIS. Forty miles to the camp. And my mother, they let ride on one of our horses.

Mr. KEARFUL. One of your own horses?

Mrs. STURGIS. Yes; one of our own horses—her horse and her saddle. They let her ride her horse. She couldn't walk, but they made me walk, and without a bonnet. I had nothing on my head. My clothes and bonnets and everything were taken away from me, and I had to walk 40 miles without a bonnet.

Mr. KEARFUL. Were there any women with this party—and soldaderas?

Mrs. STURGIS. No, no; no women with them.

Mr. KEARFUL. How long did it take you to reach the camp?

Mrs. STURGIS. We were three days going to the camp. The first day we marched 3 leagues to Texpatan—a little town named Texpatan—and, then, next morning early we heard the Carranza soldiers were already at our plantation weeding it of what was left. The Carranza troops came over from Copainala, the county seat.

They carried us to their camp. We were three days getting to the camp at Pozo Colorado. That means Red Hole in English. That was the name of the camp of this chief.

My husband said to Cal y Mayor, "Why is it you do not take these Carranza soldiers prisoners?" He says, "I was told by the Federal authorities to take you from the plantation. We work together when convenient."

Mr. KEARFUL. When convenient?

Mrs. STURGIS. In this case "We work together when convenient." He was told by the Federal authorities to take us away from our plantation. "We work together when convenient." That is what he told us.

Mr. KEARFUL. What did you do or what did they do with you at the camp?

Mrs. STURGIS. They took us in the camp and they made me go to the hospital and wait on their dirty, low-down sick soldiers, amid jeers, and they would tell me, "Now we have got the gringo well done up," and they would insult me in every way and make me do all sorts of work in that hospital. And I was insulted, and I was worked up one day and I said, "You will pay for this, and pay well, too." And it was told to the general, what I had said, and he was going to hang me up. I said, "Well, hang me, then." I was provoked and thought I would just tell him.

Mr. KEARFUL. What kind of a place did they provide for you to live in?

Mrs. STURGIS. A little shack, and at night they put sentinels around our house, and they made my husband fix the teeth of the bandits and grind corn and clean camp, and made my mother sew.

Mr. KEARFUL. Did you have a sewing machine?

Mrs. STURGIS. They carried my sewing machine away from the plantation.

Mr. KEARFUL. What sort of food did they provide you?

Mrs. STURGIS. We were starved to death most all the time. I begged for food and they only gave me tortillas without salt, and we were so weak we could hardly keep up.

I used to steal food when I was in the hospital, and that is why we did not die. I used to steal beans they gave me to give to the sick and carry them out to my mother, and cooked them secretly, and that is why we did not starve.

Mr. KEARFUL. Did the bandits themselves have plenty to eat?

Mrs. STURGIS. They had plenty to eat, but they would not let anybody give us anything. There was no way we could get it. I begged on my knees for them to give us something more to eat for my mother. I said "She is old and she will die." They said "No; you lived like kings and now you can starve to death. You will never get out of here alive." That is what they said.

Mr. KEARFUL. How long did you remain there in camp?

Mrs. STURGIS. I was there, and my husband, eight months.

Mr. KEARFUL. What time was this?

Mrs. STURGIS. We were there from June to January this last year—January 18.

Mr. KEARFUL. You were there from June, 1918?

Mrs. STURGIS. To February 18, 1919, last year.

Mr. KEARFUL. Under what circumstances did you leave the camp?

Mrs. STURGIS. Well; on the 15th of September Cal y Mayor called me to his cuartel, and he says to me, "Mrs. Sturgis, I am going to send you to the camp of Gen. Zapata with letters to him."

Mr. KEARFUL. That was in the State of Morelos, just south of Mexico City?

Mrs. STURGIS. Yes; and I said, "I am too weak to go and I have no clothes." My clothes were almost in rags. He said, "I will get you some of your clothes from the Indian women who have them around here." I said, "I can't go and leave my husband and mother; my mother is sick and I am afraid will die." I said, "Let me take my mother with me." He said, "No; you will leave your mother and your husband here, and if you don't come back, I will kill them. I will give you two months to go and come back."

Of course I had to go; there was nothing else to do.

Mr. KEARFUL. Who went with you?

Mrs. STURGIS. An old woman and six bandits went with me and carried me as far as Minatitlan, in the State of Vera Cruz, where the English have those big oil works.

Mr. KEARFUL. You said an old woman went with you?

Mrs. STURGIS. An old woman they sent with me, an Indian squaw, the wife of a captain, to watch me.

Mr. KEARFUL. How did you carry the papers?

Mrs. STURGIS. I carried them in the soles of a pair of shoes. They nailed them in the soles of the pair of shoes and I had to put the shoes on, because I had nothing else to wear. They made the shoes right there in the camp. They had a little shoe shop there. They had everything there in the camp; it was like a little town. They had been there three or four years.

Mr. KEARFUL. How far was that camp from the Carrancista headquarters?

Mrs. STURGIS. Just about 40 miles in; a little town; there are little towns all around there. The Carranza soldiers would run away; they wouldn't think of trying to fight, because after the rebels would go out and make a raid the Carrancistas would go in after them and get what was left; what they wasted. They kind of worked together. That is a way they have. "We work together, when convenient." That is what they say down there among themselves.

Mr. KEARFUL. Did you finally arrive at Mexico City?

Mrs. STURGIS. Yes; I went to the City of Mexico and put myself in the hands of the American Embassy, Mr. Summerlin—I saw the chargé d'affaires, Mr. George Summerlin, and told him everything and asked him what I should do.

Mr. KEARFUL. What did he advise you to do?

Mrs. STURGIS. He told me to come back the next day, and I went back the next day to the embassy and showed him the shoes I had with the letters in the soles, and they examined them. They said, "Mrs. Sturgis, would you be afraid to go into Zapata's camp?" I said, "Well, if you can't get the release of my husband and mother I am willing to do anything. If you can't get them released, and if by my going into Zapata's camp I can get them released, I am willing to do it."

Mr. KEARFUL. How far was Zapata's camp from Mexico City?

Mrs. STURGIS. They told me two days by train and three days by horseback. I had to go to Puebla and from Puebla to Clisco, and there had to take horses five days into the mountains to Morelos, and I will tell you how it was. Then they put me in communication with two Zapatista rebels, one colonel and one lieutenant.

Mr. KEARFUL. In Mexico City?

Mrs. STURGIS. Yes; they were in Mexico City. They have their agents there, you know. Zapata has his agents there, a number of them.

Mr. KEARFUL. Well, at that time Carranza was in Mexico City with his government, was he not?

Mrs. STURGIS. Yes; but that don't make any difference; they have them there. I don't know how they work together.

But it was Col. Pena and Lieut. Santiago Rodriguez. They were the two men I was introduced to by a secret-service man, Mr. Jones.

Mr. KEARFUL. Mr. Jones?

Mrs. STURGIS. Yes.

Mr. KEARFUL. An American?

Mrs. STURGIS. Yes; he was a secret-service man at the embassy. That is what he told me, and they told me, too. "One of our men will be with these Zapatistas. They will come to your hotel and you tell them everything." And I did.

Mr. KEARFUL. You delivered the papers to them?

Mrs. STURGIS. Yes; I showed them my shoes; they were nailed in the soles of the shoes, and I showed them the shoes. They said, "Mrs. Sturgis"—in this hotel where I was there were a great many Zapata officers, and they said to me, "To-morrow you meet me and bring Mr. Jones. I will be with you," he said. "And we will arrange for you going out to Zapata's camp."

I said to Mr. Jones, "Is that all right?" He said, "Oh, yes; don't you be afraid. Mr. Gates is a great friend of Mr. Zapata, and one of these men, Santiago Rodriguez, was the man who took Mr. Gates out to see Mr. Zapata. He is a great friend of Mr. Gates," he said. That is what Mr. Jones said, "Don't be afraid."

Of course I felt afraid, because I was pretty badly off then from the exposure I had had.

Mr. KEARFUL. Did you go out to Zapata's camp?

Mrs. STURGIS. No; I went down to this place and they told me, "You can't go, Mrs. Sturgis, the bridge has been blown up to Puebla and Elisco."

That was about the 24th or 26th of September, along there. They said, "You can't go. We will have to send these letters out to Zapata by messenger." And I turned those shoes over to these people and they sent them out to his camp.

Mr. KEARFUL. Were those shoes examined by them?

Mrs. STURGIS. They were examined, but they did not take the soles off them. These letters were nailed in between the soles. I delivered the shoes to them.

Mr. KEARFUL. Did you see the papers yourself?

Mrs. STURGIS. No; I never did. I don't know what was in the papers, either.

Mr. KEARFUL. Did Mr. Summerlin give you any assurance of getting your mother and husband released?

Mrs. STURGIS. Well, I didn't go out to the camp and I fell sick with influenza and nearly died. I was 12 days in bed. And as soon as I got up I went down to the embassy and I told them, I said, "Time is drawing to a close; two months is nearly up, and if I do not get back to the camp I am afraid they will kill my mother and my husband." And Maj. Campbell told me, "Mrs. Sturgis, Zapata is not in his camp; he is in Guerrero, and I don't know when you can get an answer back to your letter." That is what Maj. Campbell, the military attaché at the embassy, told me. "But I will give you a man to go back with you to see if you can get the release of your husband and mother."

Mr. KEARFUL. And did he do that?

Mrs. STURGIS. He did; he sent back this Zapatista lieutenant, Santiago Rodriguez, with me, and paid his way; gave him money and gave me money to buy medicine and something to eat for my husband and mother, and sent Santiago Rodriguez back with me and paid his way, too.

Mr. KEARFUL. And you went back?

Mrs. STURGIS. We went back and got back the 16th of November to the camp.

Mr. KEARFUL. 1918?

Mrs. STURGIS. Yes; and I found my mother had died of starvation just three days before I reached the camp, and my husband was in a dying condition; he could not walk.

Mr. KEARFUL. What became of the money and supplies that you took back with you?

Mrs. STURGIS. The money and supplies I took back with me they took away from me. I only got to give my husband just a little something that I took back, some of the medicine, and they took it



all away from me, and this Santiago Rodriguez, who they sent back with me, knew that my mother had died of starvation; the people there told him that my mother had died of starvation. My husband was in an awful condition; he was all swollen up; he could not walk, he had given up to die. He said, "Well, if my wife don't get back I won't last long; just a few more days." They just gave him tortillas to eat—tortillas without salt—little cakes, you know.

Mr. KEARFUL. What did this representative of the embassy do?

Mrs. STURGIS. This representative went to see Cal y Mayor. He was a great friend of Cal y Mayor, but Cal y Mayor would not let us out, and he went back to the city of Mexico.

I said, "Why is it that you don't take us out? What will our Government say?" He says, "I can't take you; I can't take you out. I will be back here again."

I was so discouraged and I begged him and I begged him on my knees. I said, "You see my husband is dying, and I will die, too. You see this man is a bandit, an awful bandit; he won't let us out. Why can't you take us out of here?" He says, "I can't take you, Mrs. Sturgis. I will have to go back and report to the American embassy."

And then they treated us worse than before. They put me in the woods to cut the wood until my hands were all blistered and sore, and my husband couldn't get off his pallet. And they made me grind corn and go to the woods and cut wood with an ax until the middle of January, until I was reduced to a skeleton. They took the clothes away from me when I went back to camp, and I was almost naked; had no shoes and very little clothes; and they gave me very little to eat, just tortillas and a few beans, and I was almost reduced to a skeleton, and you can imagine how my husband looked.

Mr. KEARFUL. While you were there at the camp did there come to your knowledge any German activities?

Mrs. STURGIS. Yes; I forgot to tell you about that.

In July while we were in there—the year before—we went in June, and then in July—Antonio Naylor—I knew him—who worked for Henry Gueral, the German vice consul in Chiapas—I knew him—Antonio Naylor told Cal y Mayor that he was sent in there by the Germans and Carranza; that they were forming an army of 3,000,000 soldiers; Germany and the Japanese and Carranza forces were going into the United States from Mexico to fight the Americans, and that the Germans had arms hidden in their hardware stores; they had plenty of arms and ammunition. That is what he told. My husband heard him and so did I; heard them talking about it. And he was to come back again, but he never came back.

Mr. KEARFUL. What, if any, representations were made to the native workmen in regard to looting in the United States?

Mrs. STURGIS. Oh, yes. Now the propaganda down there is that President Wilson is crazy, and they are recruiting people now, and they are telling them, "We will go to the United States and get lots of rich loot in the gringo country; there is lots of rich loot," and lots of the ignorant people believe it, that they can come here and get lots of rich loot in the gringo land. That is the propaganda down there now.

Mr. KEARFUL. Under what circumstances did you leave the camp finally?

Mrs. STURGIS. Well, just a few days before the—on the 14th of February last year I was grinding corn and the general came and said, "How are you, Mrs. Sturgis?" I said, "I am about dead." I said, "Why is it that you keep us in here?" I said, "What have we done? My mother has died and my husband is dying, and I can't stand this work much longer." I said, "Your father lives in the City of Mexico and he is a Zapata agent, and the American Government knows of him, and if we die you will be made to suffer for it." And that seemed to affect him a great deal, and he said they would let us out in a few days. You can imagine how glad I felt. I said, "If we die in here you will suffer for it," because his mother and father and his sisters lived in the City of Mexico and were Zapata agents.

A few days after that he came to our shack and told us he was going to let us out on the 18th, and he let us out more dead than alive. He gave me a piece of machete and gave my husband one of our horses, because he couldn't walk, and put us outside his camp on the 18th day of February, 1919.

Mr. KEARFUL. Did you have a horse to ride?

Mrs. STURGIS. No, indeed; I had to foot it and clean the road with the machete.

Mr. KEARFUL. How far did you go?

Mrs. STURGIS. Forty miles. We had to go to the plantation, and we only had six tortillas to eat on the way.

Mr. KEARFUL. You had to go to your own place?

Mrs. STURGIS. Yes; we had to go there; there was no other way.

Mr. KEARFUL. In what condition did you find the plantation?

Mrs. STURGIS. Perfectly bare of everything; even the wire fencing had been taken away. We found 30 Indians living there, some of them planting corn.

We said to them, "How is this?" They said, "The Carranza officials have given your land over to us. They said you would never come back again."

Mr. KEARFUL. Were those some of the Indians who had worked for you?

Mrs. STURGIS. Yes; and some of the soldiers. They have soldiers that served for 15 days and then they let them off 15 days and another lot will go in. They were soldiers and natives, some of them living on our lands. They are living there to-day.

At our plantation house we found it was in ruins, the windows all broken out, doors broken down, no cattle, no hogs, or anything. They sold our cattle. Our cattle were quite well-known cattle and well thought of around through the country, and they sold them, and our coffee was carried to the State capital. We had some 300 sacks of coffee stored and they carried it to the State capital and sold it; and sold our cattle everywhere around there, and then killed some of them. We only had 300 head at that time.

Mr. KEARFUL. Was any pretense made of compensating you for the land that was divided up among these Indians?

Mrs. STURGIS. We went to the State capital and the doctor went to see the governor, because we had no money.

Mr. KEARFUL. Who was the governor?

Mrs. STURGIS. Villanueva—we knew him—and Gen. Esparza—we knew him too; he was the commander in the military zone.

Mr. KEARFUL. And what did they tell you?

Mrs. STURGIS. We told them we were there without any money, and we thought as they had confiscated our cattle and our money we ought to get some little money to take us to the American consul at Salina Cruz or Vera Cruz, and we said to them "As you have confiscated most of our property, can't you give us a little money." And he said, "We haven't money enough to pay our own officials and we are not responsible for Americans in Mexico." And my husband said, "Then why is it your government is recognized by the American Government if you are not responsible for Americans here?"

So we got in communication then with Mr. Baker, the American consul at Salina Cruz, and Mr. Lansing here of the State Department gave him orders to give us money to come to the United States, and that is how we got back to the United States. The Government furnished us the money.

We got back to the United States in July. We got out of prison in February and got back to the United States in July.

Mr. KEARFUL. When your land was taken and divided up amongst these Carrancista soldiers was there any pretense made that you would be compensated for it in any way?

Mrs. STURGIS. I don't know; they did not tell us. Why sure not; they don't expect to pay us for that land. They gave it over to the Indians. That is what they told us. We don't know when they divided it up, but Indians are there. And we said, "Why is it?" And they said, "The Carranza officials told us you would never come back any more; the American foreigners were to be driven out of Mexico and the land to be divided up among us."

You hear that everywhere; they have done it, too. All these plantations are full of Indians working the land, and they insult the American Government down there and call it all sorts of names, and it is no good, it is nothing but a bluff. And you have to take insults on all sides.

Mr. KEARFUL. Have you paid a visit to the State Department in reference to the injuries that were done to you?

Mrs. STURGIS. My husband wrote to Mr. Lansing when he got to the United States, and told him that we were here, and he sent him papers to make up his claims against the Mexican Government; that is all.

Mr. KEARFUL. In those papers, is there anything to the effect that you must first present your claim to the Mexican courts?

Mrs. STURGIS. No; it does not say anything about it. No; they give you papers here at the State Department to make your claims against the Mexican Government. It does not say anything about the Mexican court.

Mr. KEARFUL. Do you not have to state in those papers that you have presented your claim to the Mexican Government and it has been rejected?

Mrs. STURGIS. No; but when we saw the judge in Tuxtla Gutierrez, the State capital, and tried to have some papers made out and signed by witnesses, so we could present them to the American Government, showing how we were treated there, the judge told us he had been advised by the Carranza officials that if he made out any papers for us he would be shot immediately, because, you see, that would be against the Carranza government. Of course, it is a well-known fact all over the country how we were treated.

Mr. KEARFUL. That was an attempt by you to proceed in the Mexican way to make a record of it?

Mrs. STURGIS. Yes; to get witnesses that our place was raided and we had been carried off prisoners and that the Carranza soldiers had gotten most of the loot. And we could have gotten plenty of witnesses.

Mr. KEARFUL. At the time you were in Mexico City at the American Embassy, did they consider at all taking any steps to release your husband and mother and protect you?

Mrs. STURGIS. Who?

Mr. KEARFUL. The American officials.

Mrs. STURGIS. Well, just as I told you; they only sent that man back with me; that is all.

Mr. KEARFUL. They did not consider sending any expedition for the purpose of relieving you?

Mrs. STURGIS. I do not know; if they did, they did not tell me.

Mr. KEARFUL. They permitted you to go back?

Mrs. STURGIS. Yes; told me to go back.

Mr. KEARFUL. And thought it was the best thing for you to go back?

Mrs. STURGIS. Yes; thought it was the best thing to do, because Cal y Mayor told me, "If you bring back soldiers here, or if I see a flying machine over my camp," he said, "I am going to kill your husband and mother the first thing, if you cause my camp to be attacked." And I told the American ambassador that.

There are so many things, it is such a long story that I leave out some of them. That is what he told me, if I brought soldiers back or he saw a flying machine over his camp—that is what he called it—"I will kill your husband and mother right away."

Mr. KEARFUL. The American officials thought it was the best thing for you to make a trip back to save your husband and mother?

Mrs. STURGIS. Yes; that is what they thought. I think perhaps they did the best they could for me under the circumstances. But when I got back to the camp Cal y Mayor told me Santiago Rodriguez told him Carranza had given the American Government \$1,000,000 to fool the people that the Mexican Government was all right.

Mr. KEARFUL. Who told you that?

Mrs. STURGIS. Cal y Mayor told me that himself; told my husband and myself that, and he said that is the reason I kept you here for three months longer, to punish your Government, because it is upholding Carranza, and they have received \$1,000,000.

Mr. KEARFUL. Who had received \$1,000,000?

Mrs. STURGIS. Fletcher, he said. That is what Cal y Mayor told me that Santiago Rodriguez had told him, that Fletcher had received \$1,000,000 to uphold the Carranza Government. And I said it is not true. I didn't believe it. I said "I don't believe the American Government is so dishonest and they don't need Carranza's money. It is a lie," I said, and he was about to strike me with a stick when I upheld my Government. He had a cane in his hand and he said "Don't you say that, because it is the truth, because Santiago Rodriguez told me."

Mr. KEARFUL. Santiago Rodriguez appeared to be a confidential agent of the American Embassy down there?

Mrs. STURGIS. I don't know what he was. They sent him back with me, and I don't know. I told Mr. Campbell "I haven't much faith in this man because he is a friend of Cal y Mayor," is what I told Maj. Campbell at the American Embassy. "Oh, he is all right," they said. "I don't think so. I know the Mexicans pretty well," I said.

Mr. KEARFUL. What was supposed to be the use to which this \$1,000,000 was to be put?

Mrs. STURGIS. Why, they told me—this Santiago Rodriguez told Cal y Mayor, the rebel chief, that Carranza has paid the American Government through Mr. Fletcher \$1,000,000. That is the way he expressed it. "Mr. Fletcher has received \$1,000,000 from the Carranza Government to tell them that Carranza is getting things under his hands, that things are going on nice in Mexico, to fool the public."

Mr. KEARFUL. You are aware, I suppose, that Mr. Fletcher appeared before the Rules Committee of the House and testified to that effect, are you? You know about that?

Mrs. STURGIS. No; I did not know that. I have been very sick here; I have not kept up with what has been going on. But that is what Santiago Rodriguez told me.

Mr. KEARFUL. If he did appear before the Rules Committee and testify to that effect it was not true, was it—the testimony that Carranza was progressing very well?

Mrs. STURGIS. Did he say that?

Mr. KEARFUL. He did.

Mrs. STURGIS. Well.

Mr. KEARFUL. What do you say about it?

Mrs. STURGIS. Why, things are awful in Mexico. Why, when I went up to the City of Mexico at that time they blew a train up behind me and in front of me, and when I crossed the Isthmus—why, things are in awful condition down there.

Mr. KEARFUL. You think Mr. Fletcher's testimony to that effect was not the truth, then?

Mrs. STURGIS. Maybe he saw the other way. He did not see it the way I did. Of course, you can't tell. Mr. Fletcher is in the City of Mexico, and maybe he hasn't been out around like I have. That is what they told me, but I certainly don't believe Mr. Fletcher would do such a thing as that, perhaps—receive money. I don't think he would. I think he must be a very honorable man or he would not represent our country in Mexico.

Mr. KEARFUL. You are aware that Mr. Fletcher has not been in Mexico for some time?

Mrs. STURGIS. Gen. Cal y Mayor, the rebel chief, told me Mr. Fletcher never would come to Mexico again. I didn't know it at the time; I thought he had gone home on a visit, but Cal y Mayor knew he would never come back again. That is what he told me. He told me that with a great sneer on his face.

Mr. KEARFUL. Did you personally visit the State Department here in Washington?

Mrs. STURGIS. Yes; I did.

Mr. KEARFUL. With whom did you talk?

Mrs. STURGIS. With Mr. Johnson.

Mr. KEARFUL. What position does he hold?

Mrs. STURGIS. I don't know what he is. I went there to ask some questions.

Mr. KEARFUL. He appeared to be in charge of Mexican affairs?

Mrs. STURGIS. I went to ask some questions about my claims. Yes; I wanted to see Mr. Fletcher, but he was at Palm Beach; then I asked for Mr. Lansing. I didn't see Mr. Lansing, though; they sent me down to Mr. Johnson.

Mr. KEARFUL. What was Mr. Johnson doing at that time?

Mrs. STURGIS. I don't know what he was doing. He was there all right.

Mr. KEARFUL. He was in the department?

Mrs. STURGIS. Yes; because the newspaper men were there to see him; I believe about 15 newspaper men were there to see him, but he didn't see me.

Mr. KEARFUL. What did Mr. Johnson tell you about the redress that you would get?

Mrs. STURGIS. Well, he said he did not know, and I told him that I had been called before the committee, and he said, "You tell them everything; tell them the truth, just what happened to you." That is what he told me, and he asked me questions about down there, what happened to us, and when I came back, and like that, you know; and I told him.

Mr. KEARFUL. Did you tell him about the report that Mr. Fletcher had received \$1,000,000?

Mrs. STURGIS. Yes.

Mr. KEARFUL. He told you tell the truth about that as well as about the rest?

Mrs. STURGIS. Yes; that is what he said. I told him I didn't believe it, but Caly Mayor said, "I am punishing you three months longer because your Government is upholding the Carranza Government. Mr. Fletcher has received \$1,000,000 out of the Government," he said. "to make fools out of the people, to make the Americans think things are going on all right in this country." Of course, I don't think Mr. Fletcher would receive any \$1,000,000. I think perhaps Mr. Fletcher was fooled, you know. He didn't know things were in such a bad state, you know, but he would only have to ask out around and he could have found out. Of course, I understand the Indian language and the Spanish language and I heard all their conversations. When I was in hotels in Mexico I heard them talking.

Mr. KEARFUL. Where is your husband now?

Mrs. STURGIS. Why, he is in New Orleans. He is very sick. He would come to Washington, but you know we haven't anything; we are perfectly penniless and he had to go down there and my sister has been helping us out since I have been here—my sister who lives in North Dakota—because we haven't a cent of money. They got everything away from us, even our clothes. When I came to the United States I was almost without clothes, because they only gave us enough money to get home to the American Government, and since we have been here my sister has been helping us. I don't know what we are going to do. My husband is very sick. He is not able to work.

Mr. KEARFUL. You have heard expressed perhaps the policy of this Government to the effect that Americans in Mexico are not entitled

to any consideration for mistreatment because they were exploiting the peons?

Mrs. STURGIS. Oh my, no.

Mr. KEARFUL. You have heard that?

Mrs. STURGIS. Yes; I have heard that, but it is not true. The Americans down there had certainly done well; they have tried their best to keep peace and tried to stay by their property, and always paid the Mexican peons better than the Mexicans, and treated them like white people down there and the peons all liked to work for the Americans; have great consideration for them.

Mr. KEARFUL. On this trip you made to Mexico City and back again to the camp did you pass through any parts of the country that had been inhabited by Americans?

Mrs. STURGIS. Oh, yes. Oh, I didn't tell you about the fact I was attacked the second time by Gen. Felix Diaz people. I was stopped by his people down the river in the State of Vera Cruz, and my husband is a Mason, and because I wore his Masonic emblem I was saved being carried a prisoner into the camp of Felix Diaz. Felix Diaz is a high Mason, you know, and when I went to the City of Mexico my husband said "Take this emblem. If you fall into the hands of any bandit you may come across a masonic friend," and he told me what to say and to present the emblem to them.

When they stopped me on the river and the guard was going to take me to the camp of Felix Diaz at San Cristobal, a camp of 800 men, and I told him I was going to the City of Mexico to try to get money to release my mother and husband. I didn't tell them I was carrying letters. I was afraid to tell them—going to get money to release my husband and mother, and I said, "My husband is a friend of Felix Diaz and this proves to you he is a friend," and the captain took the masonic emblem and consulted it and looked at me and said, "This woman passes and we will be here when you come back," and that masonic emblem saved me being captured again and taken into the Felix Diaz camp.

There are so many little things that one forgets to tell.

Mr. KEARFUL. You say that you observed some other plantations that had been inhabited by Americans?

Mrs. STURGIS. Yes; Esperanza and a big banana plantation down the Nauchantal in the State of Vera Cruz, as I went down the river with the bandits.

Mr. KEARFUL. In what condition did you find those plantations?

Mrs. STURGIS. There is not anything; they are all in ruins; their houses had been burned up, and by the Carranza people, too; everything is destroyed.

I saw the big orange plantations; they have about two leagues of orange trees planted out. That is called Esperanza. It is ruins; there is not anything there; the buildings burned up. They made fire water—whisky—out of the orange juice. That is all in ruins. I saw four plantations along the river all in ruins. San Cristobal is another one owned by Americans, where they made castor oil.

Mr. KEARFUL. What faction was in control of that part of the territory?

Mrs. STURGIS. That was in the control of the followers of Felix Diaz under Gen. Castor Lopez. He was one of Felix Diaz's generals.

Mr. KEARFUL. What forces wrought the destruction that you saw?

Mrs. STURGIS. Why, the Carrancistas. That is what they told me—the Government troops.

Mr. KEARFUL. Did you see any followers of Villa at any time down there?

Mrs. STURGIS. Well, the followers of Villa are right over toward the Tuxtla country in Chiapas. I know the two men—have known the two men who are the—Gens. Pena and Fernandez are followers of Villa, and Fernandez is another general, and Castellano is another, and they come right into Tuxtla and rob what they want and chase the federals out, and come backward and forward past our place.

Mr. KEARFUL. You say they passed by your place?

Mrs. STURGIS. They passed by our place, yes; a number of these Villistas; but they never did us any harm; just the Carrancistas and Zapatistas have ruined us together, because they are the same kind of people. It looks like Zapata has the same kind of a low-down, ignorant, vicious people, and so has Carranza.

Mr. KEARFUL. And they work together when convenient?

Mrs. STURGIS. Yes; they work together when convenient, and a great many of the Carranza generals don't even speak the Spanish language; they speak the Indian language. They are very ignorant. Some of them can neither read nor write. I know them; I have seen them and talked with them. My husband has, too.

When Carranza sent Gen. Alvarado down to the State of Chiapas to pacify the State, instead of going about it in a patient way he began to rob the people; accused the people of being rebels. He made a regular business trip out of robbing them.

Mr. KEARFUL. He made rebels out of them?

Mrs. STURGIS. Yes; that is what Carranza is doing all over.

Mr. KEARFUL. Alvarado is the one who went to Yucatan and made himself governor?

Mrs. STURGIS. He is. I think he is one of the biggest cattle thieves in Mexico. He drove out 18,000 head of cattle in one drive.

Mr. KEARFUL. What did he do with them?

Mrs. STURGIS. Sent them to the United States and sold them. And he is an ignorant fellow. Then Gen. Mandajano is the bloodthirsty one. He is the one who killed so many people years before. However, that is what the Mexicans call him—the bloodthirsty Gen. Mandajano.

Mr. KEARFUL. Did he hang them up to the trees?

Mrs. STURGIS. That is what he would do; he would hang some to the trees and some of them he would put a rope around their neck and tie them to the saddle and drag them to death, and other people he would cut the flesh off the cheekbones and off the calves of the legs and then take knives and cut their feet and then make the poor victims walk for miles, and some of them they would catch and tie up to a tree and shoot them to death little by little. That is the way the bandits did over in the camp we were at. Oh, they do awful things down there.

Mr. KEARFUL. Did you know of any assaults upon women?

Mrs. STURGIS. Among their own women; yes, indeed; but they never touched us. That is one thing. While we were in the camp



they said they were going to feed us to the alligators and going to bury us alive and going to hang us. That is what they would say, you know, but they never touched us; only nearly starved us to death.

Mr. KEARFUL. Is there anything further which you think might be of interest that you have not already told the committee.

Mrs. STURGIS. It seems to me if they have all that down I think that is about all I can think of right now.

Mr. KEARFUL. Then you will be excused, Mrs. Sturgis, and we are much obliged to you.

(Witness excused.)

(Whereupon, at 12.10 o'clock p. m., the committee adjourned.)

# INVESTIGATION OF MEXICAN AFFAIRS.

FRIDAY, JANUARY 9, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,  
*Washington, D. C.*

Testimony taken at Washington, D. C., January 9, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate:

## TESTIMONY OF MICHAEL A. SPELLACY.

Mr. KEARFUL. What is your full name?

Mr. SPELLACY. Michael A. Spellacy.

Mr. KEARFUL. What is your citizenship?

Mr. SPELLACY. American.

Mr. KEARFUL. Where were you born?

Mr. SPELLACY. Connellsville, Pa.

Mr. KEARFUL. Where do you live now?

Mr. SPELLACY. Los Angeles, Calif.

Mr. KEARFUL. Have you ever lived in Mexico?

Mr. SPELLACY. I was most of the time, or a great deal of the time, for about eight years.

Mr. KEARFUL. When did you first go to Mexico?

Mr. SPELLACY. In 1908 or 1909; I have forgotten which.

Mr. KEARFUL. Did you go there as an American capitalist for the purpose of exploiting the Mexican peons?

Mr. SPELLACY. Not exactly. I went as a driller.

Mr. KEARFUL. What part of the country did you go to?

Mr. SPELLACY. I first went to Mexico City and from there to Tampico.

Mr. KEARFUL. You worked as a driller in the oil fields?

Mr. SPELLACY. Yes, sir.

Mr. KEARFUL. Did you afterwards operate in the oil fields on your own account?

Mr. SPELLACY. That and in connection with my brothers and others.

Mr. KEARFUL. What were the names of your brothers?

Mr. SPELLACY. Timothy Spellacy and Peter Spellacy.

Mr. KEARFUL. What were those operations?

Mr. SPELLACY. Well, I had followed the oil business for a great many years, drilling, contracting, and I went to Alaska in the Klondike rush and came out without making anything in Alaska, and not finding any nuggets there I went into Mexico as a driller, and

as an oil man. I saw a great many excellent opportunities for securing leases in the way that I had been accustomed to in the United States, and I began taking those leases in the upper fields, and later in the lower field, and began negotiations with my brothers to pay part of the expenses of securing of these leases, they and their associates. I went to Los Angeles and called together some of my friends, Capt. Lucey, Tom Kerrigan, Pop Bowles—I have forgotten his first name—and F. A. Montgomery, and several others of my friends and told them what I considered the opportunities in Mexico and about some of the leases we had secured, and that I thought it would be a good investment to operate in that country. They agreed with me and that was the first organization I had anything to do with.

Mr. KEARFUL. And did you and your associates take leases from the Mexican owners of the property for the purpose of exploring for oil?

Mr. SPELLACY. Yes, sir.

Mr. KEARFUL. This was new and unexplored territory?

Mr. SPELLACY. Yes, sir; altogether. We pursued the same system that we did in the United States, paying them a rental in advance and a rental per annum. Generally, in the southern fields more particularly, they not understanding royalties as we were accustomed to them in the United States, insisted on cash payments if the oil was found, in which they had no belief that we would succeed, and we paid them practically at the same rate for the same kind of territory that we would have paid in the United States for wildcat territory.

Mr. KEARFUL. What truth is there in the statement often heard in this country that Americans, especially American oil men, went to Mexico for the purpose of exploiting the Mexicans and have been engaged in that ever since?

Mr. SPELLACY. When I went to Tampico there were only two companies operating in the field, Mr. Doheny, the Mexican Petroleum Co.; at that time it was Sir Weetman Pierson, now known as the Aguila.

The poverty in Tampico was extreme. The natives, when they worked there, received about 15 cents a day of our money, and out on the haciendas they received much less. The peons would sit around the plazas with simply a small blanket over their shoulders and a few garments, barefooted. That was the usual condition of the peons in Tampico.

The Doheny company, every company, in fact, immediately raised the wages to what were very large wages in that country, and they received much opposition from the landowners and other Mexican capitalists for spoiling their cheap labor.

Mr. KEARFUL. What effect did that have upon the mode of living of the Mexican laborers?

Mr. SPELLACY. Well, it was very much improved. They became clothed, and gradually their wages were increased until they were able to buy clothing that was as good as that worn by the American employees. They are not generally very thrifty in the sense of holding money, and that went largely to jewelry and luxuries of which they had never dreamed before. American makes of high-priced goods of all kinds it seemed to be their desire to purchase for their

families. They lived much better, the women and children were clothed much better, and generally it was a great improvement in the condition of the Mexican laboring man.

**Mr. KEARFUL.** Were there any of them educated to perform skilled labor?

**Mr. SPELLACY.** Gradually they were able to assume positions in offices and to do manual labor of building tanks, etc., in which their salaries were increased to practically the same level as those received by Americans in the same positions.

**Mr. KEARFUL.** What was the scale of wages that was received before the Americans went into that field by the Mexican peons?

**Mr. SPELLACY.** Well, I might say from the haciendas the Tampico laborer probably received from 10 to 20 cents, American money.

**Mr. KEARFUL.** And to what point was that scale raised through the operations of the oil prospectors?

**Mr. SPELLACY.** It was gradually increased. Computing in American money the first jump was 50 cents, 75 cents, \$1, \$2, and in a great many instances \$3, \$4, and \$5 per day. In the lower field amongst the Indians—they were the owners generally of their own little patches of ground on which they raised corn and beans, and had chickens and turkeys; their little villages had their churches, they had their fiestas; they had their market days at each one of these towns where they would meet in thousands coming in from the surrounding country, and I never saw a quarrel on one of those market days. They were very contented but very poor. They had no luxuries, did not wish them, and did not know what they were. After they secured the rentals from their leases—and that was a very hard thing to get them to do at first, they had always been exploited by different Mexicans who had authority in those regions and they could not realize how any person would try to do any good without selfish motives, and they were very suspicious at first. When I went into these villages they were very suspicious of me and it took me a long time to overcome that suspicion. When I would come along the little youngsters would run and hide and the old fellows would gaze at me as if I was a horse thief.

But finally it got so the little fellows would begin to poke their heads out of the bushes when I came along, and when I would hold out a centavo toward them one of the older ones would run out and grab it and run back and hide in the bushes again, but, finally, when they saw I did not hurt them they would come out gradually, and I would give them crackers, which were their main luxury, and finally they understood that when I came to town they were going to get crackers, and finally the youngsters would look out and then would say, "Señor Miguelito, give us some crackers." My name was Mike, and Señor Mike was my name through that country, and after I had been there for several months the little fellows would hang around me and act like I was the bishop that had come to town. They were the brightest little fellows you would ever want to see and you could almost tell what they were thinking. They had their little schools, but a number of them went down in their own pockets and paid the school-teacher the munificent sum of \$8 a month to instruct those children. He knew a little more than the general run of Indians. In fact, when he went to try to air his knowledge when I first engaged

him he showed his ignorance in one respect. He heard us speak of San Francisco and he broke in to say he knew where San Francisco was, and the interpreter asked him where San Francisco was, and he said California, Tex.

Mr. KEARFUL. Now, Mr. Spellacy, what can you say about the progress of the country as a result of the oil development?

Mr. SPELLACY. It brought general prosperity to the workingman.

Mr. KEARFUL. What about the building up of towns and schools, etc.?

Mr. SPELLACY. I did not understand—the building up of schools?

Mr. KEARFUL. The building up of towns and schools.

Mr. SPELLACY. Well, the schools—all of the companies, practically, after they got firmly established had schools at the camps for the benefit of the children.

Mr. KEARFUL. With respect to your own operations, what did you and your associates do in reference to providing for these children that you have been speaking about when you were successful in your oil operations?

Mr. SPELLACY. Well, we were what might be called small fishes in that country. Our camps were not extensive enough to introduce schools. We simply drilled one well at first at Puebla, which was successful, and we drilled one well at Panuco, which was successful, but we probably didn't employ over 15 or 20 peons in an operation of that kind, and they had no wish for schools, and we did not introduce schools.

Mr. KEARFUL. What did you do with respect to setting aside a certain amount of royalty for the benefit of those people?

Mr. SPELLACY. That was in my favorite little village of Zacamixtle. In subleasing one of our leases to one of the large companies—it came to be so our properties, the small ones particularly, were bound to be grabbed because we could not afford to fight the case through the Mexican courts, and I pursued the policy on the smaller leases I had of subletting them to the larger companies, and in some cases those leases read that the Indians would get so much if wells of a certain size came in, and we forced that on them, that they should receive more money. I knew the royalty was the real wealth if I could make them see it from my point of view, but I had to give it up and without their knowledge I set aside in the sublease to one of the big companies a royalty equivalent to what I would receive for my portion, which was to be devoted to the maintenance, education, and care of the children in the district. If that territory should turn out to be good, and it looks very much like it will, it will be about the richest school district not only in Mexico but in the United States.

Mr. KEARFUL. Were there any revolutionary troubles in that region at that time you went there?

Mr. SPELLACY. Not any in Tampico. I was there when the Madero revolution broke out, and while those peons were not receiving the rights we thought they should receive we were practically unanimous for Madero for the help and bettering the condition of the peons.

Mr. KEARFUL. Was there any uprising against Huerta?

Mr. SPELLACY. No; no organized uprising of any kind in that lower oil district or in the fields; a very little trouble of any kind at that time.

Mr. KEARFUL. When was the first trouble that arose?

Mr. SPELLACY. Well, after Madero was killed. I can't remember the exact time, but it gradually increased. Huerta came in power and our sympathies became, you might say, Carrancista, because we were unused to such horrors as Huerta instituted in trying to keep himself in power, butchering, murder, lining up the people and killing them just because they differed in their opinions from him.

Mr. KEARFUL. The people in the country were favorable to Carranza at first?

Mr. SPELLACY. Yes; Americans I am speaking of, particularly in Tampico. But finally when Senator Dominguez made his will and laid it on the table and then exposed Huerta's methods and said he was sacrificing his life, which he was, our sympathies were altogether practically with Carranza. I am talking about the working men and the Americans in Tampico.

Mr. KEARFUL. Now, as to the Mexicans. After Huerta's forces were driven out and Carranza came into power was there any opposition to Carranza among the Mexicans?

Mr. SPELLACY. Immediately after I do not think so. After the first Huertistas were driven out he was very popular.

Mr. KEARFUL. What occurred to start uprisings against Carranza?

Mr. SPELLACY. Well, gradually the issuing of decrees, the autocratic power which he assumed, and the fact that his troops not only attacked American farms and seized all their horses, and their soldiers killed the cattle and sheep and horses and destroyed the crops, but attacked the Mexicans as well—the Mexicans were not immune; their crops were taken from them and their cattle seized. If a man would ask a man if he was a Carrancista, why, he would most certainly say "yes." "Well, then, we want what you have got—a large portion of it."

If a man had the temerity to say "no," which he didn't, he was lined up against the wall and shot.

Mr. KEARFUL. Who is the principal rebel leader in that country now?

Mr. SPELLACY. Manuel Pelaez. I was acquainted with him before the trouble, in securing leases down near where he had a hacienda.

Mr. KEARFUL. How was he treated by the Carrancistas?

Mr. SPELLACY. Well, in a general way all that I know they had no rights that were respected by the Carrancistas. Their property was confiscated and their crops and everything they possessed.

Mr. KEARFUL. Did he rebel against Carranza before he was mistreated?

Mr. SPELLACY. No. All of these people in that country were in favor of peace and quiet and Pelaez was one of that type.

Mr. KEARFUL. I understand there is a band of savage Indians in that region called the Santa Maria Tribe. What faction have they joined?

Mr. SPELLACY. They joined the Carrancistas.

Mr. KEARFUL. Will you describe some of their operations?

Mr. SPELLACY. They are armed by the Carrancistas, and the other Indians unarmed are naturally very peaceful people, but the Santa Maria people began to raid their towns and villages; they attacked Tancoco and all of the population were driven up to the high moun-

tain, women and children, and existed, or a part of them, I suppose, continued to exist for months; that was the same with a great many other villages in there. They burned Tancoco, and either they or they and the Carrancistas in conjunction burned Ametlan, San Antonio, Chenampa, and several other villages in there, but the Santa Maria Indians outdid anything in that country for savagery. Some of the natives told me when they captured them they would strip the skin off their feet before they killed them and make them stumble around on the ground before finally killing them, and they used other means of torture, but they said that was their favorite method.

They went into Mr.—they did not get a chance there; they have never tortured Americans in that way—they went into Mr. Doheny's camp at Cerro Azul, but they only committed the usual plundering there. The Indians fled and got out of the way.

If you would care for me to describe that more fully I can.

Mr. KEARFUL. Has Manuel Pelaez committed any depredations?

Mr. SPELLACY. I have never heard of but one case in which his men committed depredations. That was on Mr. Doheny's property at Juan Casiana, and when his superintendent went over and protested he found it was a drunken underofficer who had ordered it.

Mr. KEARFUL. And what was done by Pelaez?

Mr. SPELLACY. I don't know. But he has generally been very strict in discipline. I was told of one case when I was down there where an American was held up temporarily by one of his sentries. The sentry was drunk and insulted the American, and even made threatening movements with his rifle. The American proceeded finally on to Pelaez's camp, or that of Col. (now Gen.) Rabine, and stated his case. Rabine immediately got a horse and went back and shot and killed the sentry.

Mr. KEARFUL. Has Pelaez kept order in the regions controlled by him, or not?

Mr. SPELLACY. Very much, sir.

Mr. KEARFUL. Has he protected the property and the rights and lives of the people residing there?

Mr. SPELLACY. To the fullest extent that he has been able; and the native villages also. He does not rob them.

Mr. KEARFUL. Does he exact any tribute from the people?

Mr. SPELLACY. Not from the people; no, sir.

Mr. KEARFUL. How does he support his army?

Mr. SPELLACY. By what he calls contributions from the oil companies largely. He has, from the best information obtained from men who are there constantly, particularly one superintendent of one of the camps—he states that he generally has 3,000 men. If he wishes 6,000 men he can get them, or 25,000 men if he had money and supplies and ammunition, but the 3,000 men he has constantly.

Mr. KEARFUL. You spoke of the villages that were outraged by the Carrancista savages. Were these villagers in revolt against the Carranza government, or were they peaceful?

Mr. SPELLACY. Very peaceful Indians, and wished only to keep out of trouble.

Mr. KEARFUL. What has been the opinion of the oil operators in the region controlled by Pelaez in regard to Pelaez?

Mr. SPELLACY. I do not know so much about the operators. I know more from my own driller friends and the men whose lives are in danger there that they very much prefer Pelaez to Felix Diox or Carranza.

Mr. KEARFUL. And those are the men who are on the ground?

Mr. SPELLACY. And running the risk of their lives; yes, sir.

Mr. KEARFUL. What were the methods resorted to by the Carrancistas to recruit their forces?

Mr. SPELLACY. Well, very often they seized peons and threw them into the ranks at certain times. These were very often inoffensive, hard-working peons, who did not wish to go into the army, but after they were once in the ranks and found they could rob, steal, and shoot as they pleased they became typical Carrancista soldiers. In recruiting in one of the camps in the lower fields the superintendent of one of the big companies gave me an idea how the army was recruited there.

A Carrancista lieutenant or captain—I have forgotten which—had been in the camp and was trying to gain recruits. His argument was: "Look at me. A few months ago I had nothing. Now I have a thousand pesos and I have assaulted some 12 or 15 or 20 girls." I don't know the exact number. He got four recruits there.

Mr. KEARFUL. It was upon such representations as that that recruits were secured besides those who were compelled to join?

Mr. SPELLACY. Yes; that is the only recruiting information he volunteered to me.

Mr. KEARFUL. Do you remember the incident of the taking Vera Cruz by the American forces?

Mr. SPELLACY. Yes, sir.

Mr. KEARFUL. On April 21, 1914?

Mr. SPELLACY. Yes, sir.

Mr. KEARFUL. Where were you at that time?

Mr. SPELLACY. I was at Tampico.

Mr. KEARFUL. What occurred at Tampico when the news of the taking of Vera Cruz reached that point?

Mr. SPELLACY. Well, will I tell the whole story or as you ask questions, Judge?

Mr. KEARFUL. Well, in reference to the protection of American citizens there and the threatening attitude of the Mexican mob.

Mr. SPELLACY. We learned through Mexican sources—the news was posted at the military stations—that Vera Cruz had been attacked and that American Marines had landed at Vera Cruz. Of course, we were very much alarmed and very much surprised very shortly after to see the American gunboats starting down the river.

Mr. KEARFUL. These were the American boats stationed in there for the protection of the American citizens in Tampico?

Mr. SPELLACY. Yes, sir; American boats.

Mr. KEARFUL. Under whose command?

Mr. SPELLACY. Admiral Mayo. And at that time, while I was not in the American consul's office, I know positively from those who were there by conversation amongst ourselves that Consul Miller insisted very strongly that Admiral Mayo stay and protect the American citizens, and the admiral, of course, was very willing to stay, but he received orders from Washington to go out in the Gulf.



Mr. KEARFUL. How far was the Gulf from there?

Mr. SPELLACY. The mouth of the river is probably 6 miles from Tampico, and before a boat was in safe water outside the Gulf was probably a couple of miles farther, or probably 8 miles from Tampico.

Mr. KEARFUL. Did Admiral Mayo leave the Americans there unprotected on April 21?

Mr. SPELLACY. Yes, sir; Consul Miller insisted by his consular rights that he remain and protect the American citizens, but he said his orders from Washington must be obeyed, and he went out.

Mr. KEARFUL. Then what happened to the Americans?

Mr. SPELLACY. Mobs began to form, and we asked first for the protection of our women and children, that they be placed on the German boat, the *Dresden*, or the English boat, the *Hermione*. There was a little Dutch boat there; we didn't inquire as to that. The commander of the German boat, the *Dresden*, Capt. Koehler, I think, was his name, said he would permit our women and children to come aboard the *Dresden*, and the commander of the British boat said none but British subjects would be allowed on their boat.

Mr. KEARFUL. Before that, what did the Americans do with reference to their own protection? Did they congregate together?

Mr. SPELLACY. We began to collect what revolvers and ammunition and guns we could. We would take a rifle and take it apart, separate it, and put the barrel down the back of our coat and go somewhere else and get another and gradually accumulate what we could at the Southern Hotel and the Victoria Hotel, where the Texas Co. had their offices, and we realized if there was to be any trouble it would be at those places, particularly the Southern Hotel which was a kind of a rallying point for all Americans.

Mr. KEARFUL. Were those hotels threatened by the mobs?

Mr. SPELLACY. Not until after dark as the women and children were being carried onto the boat. When it became dark the mob became more threatening and insulting to the women and their escorts, and it was reported to me while there was no actual violence they would grab their baggage and throw it in the street and seize it and jump on it, so they discontinued taking the baggage aboard.

We had, I should judge, about 50 women in the Hotel Southern at that time, and the mob began to march around with tin pans and drums. At first we left the door of the hotel open, but afterwards they began to throw rocks through the door, and I saw a man near me hit in the head and crumple down, and we thought he was dead, but he revived later, and then we thought it was time to close the doors and we did. We placed iron bars across the inside of the door. The mob continued to grow larger and more threatening. We had men up on the roof and in the upper windows who could see them collecting and being addressed by their orators, and they were hollering "Death to the gringos," and Huerta had notified them that the American soldiers and marines in Vera Cruz were taking infants by their heels and dashing their brains out against the lamp posts, and all that kind of propaganda, and their orators were hollering for volunteers to attack the Americans, and I know there were three guns passed out to them including three women.

The mob would swarm down the street and try to break in the door of the Southern Hotel. First they were content with beating

the doors with clubs, and they made two fruitless attacks that way. There was an iron lattice between us and the corner store, and they broke all these windows and smashed them, but had not made a concerted attack through that way yet. In the meantime we had collected the women and children on the second floor, and there is a little patio facing the street in the lobby, and we were standing about 3 feet in the lobby with our rifles prepared for them when they broke the door. We put the shotgun men upon the second floor and the revolver men were they could fire on the lobby to the best advantage if the mob broke in. There were not enough guns to go round. I should judge there were 150 of us in there, and some of the boys, all they had were Mexican machetes, and they were standing at the head of the stairs.

Mr. KEARFUL. In what manner were you rescued?

Mr. SPELLACY. The third attack they got planks, and while they were bumping the doors with the planks there was no impression near where the iron bars were, but near the bottom of it when they would strike the door it would open up 3 or 4 inches, and it seemed imminent they would come in, and about that time the commander of the *Dresden* told the governor to disperse the mob, and that if there was a single American killed he would land the marines and sweep the streets.

Mr. KEARFUL. That was the German captain?

Mr. SPELLACY. Yes. They asked the British commander to join, but he refused. And about that time they came and drove the mob away from the hotel.

A little after that we heard knocks on the door, and we distinguished that they were not Mexican voices and opened the door and three German officers came in and told us what had been done and they assured us if the women and children wished to go aboard the boat that night they could do it, but as they could see our signals from the roof if there was another attack on the building to notify them by signal and they would immediately come to our rescue. So most of the women and children remained until morning. And I wish to say in connection with that as to the bravery of these women. There was not a whimper in that crowd. They were perfectly collected and took their chances with the rest of us without a murmur.

Mr. KEARFUL. What in your opinion was the effect of the withdrawal of the American gunboats from the river?

Mr. SPELLACY. It seemed almost miraculous that every American was not killed.

Mr. KEARFUL. Do you think that had the effect of inciting the mob to violence against the Americans?

Mr. SPELLACY. Yes; not only inciting the mob but giving them practically to understand that we were at their mercy.

Mr. KEARFUL. They understood that as a desertion of the American citizens by the American gunboats?

Mr. SPELLACY. Exactly.

Mr. KEARFUL. I want to call your attention to a statement made by Admiral Mayo which was published in the New York Times on October 9, 1916, about a month before the election in this country. It was quoted in the testimony of Mr. W. F. Buckley, on page 784. In that interview Admiral Mayo stated:

It is misrepresentation to say that American citizens in Tampico were deserted in an hour of imminent danger. It is distorting facts to say that

Americans, robbed of the protection of their own flag, were forced to seek refuge under the colors of a foreign power. It is not true that the Tampico affair was marked by gross bungling. The fact that close to 3,000 Americans were taken out of the city, without loss of life or destruction of property, is a result that ought to speak for itself.

Mr. Buckley controverted that statement and said that the American citizens in Tampico were deserted in an hour of imminent danger by the admiral; that they were robbed of the protection of their own flag and were forced to seek refuge under the German colors; that the Tampico affair was marked by the grossest sort of bungling, and that the 3,000 Americans spoken of by Admiral Mayo as having been taken out of the city without loss of life or destruction of property was not due to any effort by Admiral Mayo, but was due to the Germans and afterwards the British.

Which of those two statements is correct, that of Admiral Mayo or that of Mr. Buckley?

Mr. SPELLACY. Mr. Buckley.

Mr. KEARFUL. That is from your personal knowledge, as being present at that time?

Mr. SPELLACY. Yes, sir; I was there. And I wish to say, too, that the unaccountable actions of the English on the day before were not caused by the superintendents or the English commander in the field. The control of all those affairs was taken over by the British Admiralty at that time. I am confident Herbert Hallett and others of our friends would have come to our rescue if left to themselves.

The statement is made in the House of Commons now which says the English did use every endeavor to procure the fuel supply of the world. At that time the statement was the English must secure the fuel-oil supply of the world. And it was the action of the British Admiralty and not our friends in Tampico that caused us to be left in the lurch. They would not give us any assistance of any kind by order of the British Admiralty.

But when it was discovered Mr. Bryan was shanghaiing our people and not letting them come back to their property when quiet was restored, but was shipping them to Texas, the British Admiralty then did everything they could to get everybody out of the country, even going to residents in Tampico and trying to get the Mexican landlords to also try to have them taken out of the country. So the Americans were carried out then on English boats, a few French boats, and German boats, and I saw one little boat going down the river with a bunch of Chinamen with the Chinese flag. The only American flag that I know of that was raised was raised by Mr. Doheny over his launch, and the Mexicans immediately fired on that flag and caused them to pull that flag down, and they went out under the English flag. Then the Americans outside kindly allowed them to get on their boats and be carried to Galveston.

Mr. KEARFUL. What was the attitude of the English as to Americans returning after the trouble was over?

Mr. SPELLACY. They were received with open arms. There had been 30 or 60 days that the United States Government let several hundred go back on their signing papers in which they renounced all rights to protection. When they got back they were received like long-lost brothers by the Mexican population who were rapidly starving. In fact, you take away the American payrolls

there for 30 or 60 days and there would be starving and revolution.

Mr. KEARFUL. That is with reference to the attitude of the Mexicans. I asked you as to the attitude of the English.

Mr. SPELLACY. We were well received. We had been acquainted with those people for years. There was no more discrimination or attempt to get American territory, because there was an arrangement made soon after that that in cases of nonpayment of rentals, etc., the different companies would not jump one another's leases.

Mr. KEARFUL. What did the English do with reference to American employees?

Mr. SPELLACY. They discharged them all with one exception, I think. Mr. Hayes, who had formerly been the head of the Geological Survey of the United States—they had secured his services and he had made a magnificent organization for them down there. Their field foremen and quite a large number of their office men were Americans. As I say, with the exception of one superintendent these were discharged. I know that to be a fact, because I went up with a newspaper man when they came back and they denied that such an order had been in effect, and the newspaper man drew a copy of that order from his pocket and exhibited it, and it confused them very much, because notice had been received from Mr. Roy, I think that is the name, that there was absolutely nothing in it as to Americans being discriminated against.

Mr. KEARFUL. Who was the American consul at Tampico at the time of the incident?

Mr. SPELLACY. Mr. Miller.

Mr. KEARFUL. From whom did he get notice of the landing of troops at Vera Cruz?

Mr. SPELLACY. I think from the fact it was posted on the military headquarters of the Carrancistas. In fact, up to date, he has never received any notice that the troops landed at Vera Cruz officially.

Mr. KEARFUL. No notice was given to the consul or other American officials at Tampico that Vera Cruz was to be taken?

Mr. SPELLACY. No, sir.

Mr. KEARFUL. What do you know of the suppression of news of the incidents occurring there?

Mr. SPELLACY. We sent a committee on to Washington to state the facts before the President and make our statement of the case. The President then or never did receive a committee of American citizens from Mexico. Mr. Bryan, however, received the committee.

Mr. KEARFUL. What was Mr. Bryan's attitude about the matter?

Mr. SPELLACY. Well, his attitude was that Americans should get out of Mexico. That was about all. He did not seem to be acquainted with the circumstances or the conditions there. In fact, Mr. Turner, one of the committee, told me that in looking for Tampico on the map he looked a couple of hundred miles south of Vera Cruz, until it was pointed out where Tampico was. And I understand Secretary Daniels understood Tampico was right facing the Gulf; but they received no satisfaction or encouragement other than to get out of the country, and the permission finally that a great many of those properties—when the oil is shut in the oil runs on the ground and there is a menace to the country if it is set on

fire, and they permitted some of the people to go back by signing that paper I told you about. Others they permitted to go to their homes by using money which had been passed by Congress, and I noticed on the head of each of those tickets they were stamped "Charity ticket."

If I might suggest, the first trouble and first difficulty fell on the American colonists. We were rather new to the oil country at that time. If I am right, and I think I am, Consul Miller told me at that time there were about 3,500 Americans in the farming districts around there who got their mail at Tampico. They stayed on their farms until their crops were taken, their horses stolen, their cattle killed, and finally they came into Tampico as paupers. I think I saw in one bunch about 118 with not only the children barefoot but old gray-haired men barefoot and without hats or coats. They were taken care of by the oil companies. There is a sample. There were formerly 3,500 Americans getting their mail at Tampico, and there are now probably 150. Those were the main sufferers.

Mr. KEARFUL. They were colonists around Tampico?

Mr. SPELLACY. Yes, sir; right in territory adjoining and tributary to Tampico.

Mr. KEARFUL. Are you connected in any way with the Association of American Oil Companies operating in that region?

Mr. SPELLACY. I went up there once, shortly after their organization was formed, and enrolled five names with the sum of \$5, just to show my sympathy, just with the object of enlightening the people of the United States of the situation of Americans in Mexico, and they said that was the object. I have never been there since and have never taken any active interest in it.

Mr. KEARFUL. Are you acquainted with Emiliano Nafarrate?

Mr. SPELLACY. Only by hearsay. I have seen him in Tampico.

Mr. KEARFUL. What was his position in Tampico?

Mr. SPELLACY. He was the commander of the Carrancista forces in Tampico, later at Matamoros, and back to Tampico again.

Mr. KEARFUL. Do you remember a decree that he issued in 1916 providing that laborers should be paid and merchandise should be sold on the basis of Mexican gold and that Mexican paper money should circulate at an arbitrary value fixed by him, regardless of the commercial value of the paper money, and that the hours and price of labor should be as fixed by him? Do you remember a decree of that kind?

Mr. SPELLACY. I remember it in a general way, more particularly that he claimed the right to fix the hours and price of labor to be paid. I remember that more distinctly than the other parts of his decree.

Mr. KEARFUL. Do you remember that he called in the oil companies and they agreed to accept that decree?

Mr. SPELLACY. The oil companies did, I think, all of them—most of them—or the big companies.

Mr. KEARFUL. Do you remember a statement addressed to the President of the United States that was drawn up there at that time by a large number of independent operators?

Mr. SPELLACY. Yes, sir; I remember signing that statement.

Mr. KEARFUL. You signed that declaration of independence, did you?

Mr. SPELLACY. If you call it that; yes.

Mr. KEARFUL. It is set out in the testimony of Mr. Buckley at page 833.

Mr. SPELLACY. Yes; we held a meeting at the Country Club and drew up those resolutions and they were sent to the border by a special messenger and sent to Washington. We then secured the signatures of those who were present and started to secure the signatures of the different companies and others interested. They practically all refused, and even some of those who had signed their names on the spur of the moment—one at least—I know a correspondent of a newspaper in the United States there and requested that his name be taken off the list.

Mr. KEARFUL. Do you remember this paragraph in that statement: "We beg to advise the American Government that we will not obey the decree that seeks to regulate contractual relations where Americans are involved, and that we will not obey the provisions of the decree in which an arbitrary value is placed on the paper peso. To do so would be equivalent to abandoning our property."

Mr. SPELLACY. Yes, sir; I remember that.

Mr. KEARFUL. Do you remember also that this declaration was sent to Gen. Nafarrate?

Mr. SPELLACY. Yes, sir.

Mr. KEARFUL. What effect did that have upon the enforcement of his decree?

Mr. SPELLACY. Well, I remember that the climax came at the time when he arrested an American, a building contractor, and placed him in jail because he would not agree to that decree. After this man still refusing to obey he began to count wages back and until he insisted he should pay those wages and those hours for, I think, several months prior to the time the decree was issued, and the man still stood firm, and Nafarrate finally let him go with a kind of a half apology.

Mr. KEARFUL. That was after this declaration had been served on Gen. Nafarrate?

Mr. SPELLACY. Yes, sir; he released him.

Mr. KEARFUL. Did he hold the oil companies to their agreement notwithstanding?

Mr. SPELLACY. I don't know. I suppose he did if they agreed to the decree. I don't remember a great many of the details.

Mr. KEARFUL. Do you have any knowledge of criminal assaults upon nuns?

Mr. SPELLACY. The only bunch that came through Tampico—and I was not there present; my friends told me—came from up near Torreon, and George Klein told me the Mother Superior was an Irish-American or Irish, I have forgotten which, and the stories were revolting. They had a school up there for children and Mr. Klein told me later his information was they suffered the same thing. The workmen mostly raised a couple of thousand dollars and sent the sisters on to Galveston.

At Vera Cruz, I am sure of the fact that Father Joyce, chaplain in the Navy at that time, made a statement that there were 96 sisters who had been abused by these people, 32 had become mothers, and a

great many of the hospitals were full of these women through the country, and a great many of them killed in the interior, but we have not any actual facts as to that, except the affidavits Father Kelly secured. They were pretty hard to secure. Col. Roosevelt cried when he heard that.

Mr. KEARFUL. Did any of those people come through Tampico?

Mr. SPELLACY. One crowd of them. It was the most pitiful thing I ever heard of, I think. I can't tell it.

Mr. KEARFUL. Please proceed to state the circumstances so far as you know them.

Mr. SPELLACY. Well, it was the same; there have been 100,000 of their own girls who have suffered the same fate and two dozen American women, probably more Americans, for a great many of them do not publish their misfortune and their country's shame. The sisters called on God to help them, and they said, "There is no God," some of them. The mother superior, an old woman, told me some of the sisters had just come up from that way and the stories they told were too horrible to relate, and she, one of the most charitable-minded women in the world, says, "If our President can stop this, and don't, I don't see how God will permit him to live."

I want to say here I am no different from all the boys down there, but I came up and I got a Springfield and 1,000 rounds of ammunition and had them planted on the border for two years. I was ready to go in with anyone, with any decent Mexicans or Americans, whether it is against the laws or not, and I stand ready to do the same thing to-day, and every 100 per cent American in Tampico and Mexico would stand ready and be glad to do it. There are thousands of those boys right on their toes on the border ready to go over if you will shut your eyes and say "Sic 'em." It isn't a case of intervention with them; it is a case of our women being killed, our flag torn to pieces. We don't know the meaning of the word "intervention" and don't care for it.

Mr. KEARFUL. Where are your property interests now?

Mr. SPELLACY. In the Tampico district, and if one of those companies accused of propaganda would open their mouths and lay their cards on the table and let their people tell their stories, instead of looking on the effect it would have on their stock, there would be a great many more facts brought out here. They haven't begun a propaganda. There is only one greater crime than publishing false propaganda, and that is withholding true propaganda, and it is full of it.

Mr. KEARFUL. Do you think the oil companies are opposed to having the truth brought out?

Mr. SPELLACY. They have been until the present, when Mr. Carranza came out and threatened to confiscate their property. Now they are willing to whisper the facts. There is only one man who cared, and he is one of the most charitable men that ever lived, but he has his company's interests to look after, I suppose, like the rest of them.

Mr. KEARFUL. Do you think the employees of the oil companies would be willing to come to this country in a body and tell the truth if the oil companies would pay their expenses and permit them to come?

Mr. SPELLACY. I am positive they would, although they risk their lives, but the boys down there are willing to risk it. If their com-

panies would tell them to come and tell their stories, they would come almost unanimously, I think. But as it is they tell me now when these bandits attack them, one of the boys—Tom Allen particularly—he said he was so enraged when most of them had gone through the camp and there were only three left, and they had a revolver, he was so enraged he wanted to take the revolver and kill them, but he said, "What is the use? If I kill them it is a Carrancista soldier I kill, and if they get away they were bandits."

There have been some bandits, but the boys know the robberies and the outrages are done by the Carrancista soldiers, and when the United States Government says "We will protect property but not lives" and when the boys get tired of this and come to Tampico, Consul Miller says to them, "Go back. You are doing as good work as the boys in the trenches." Tom Allen says, "and a damn sight better. They get a chance to fight but we can't." But they went back.

Mr. KEARFUL. Do the oil companies suppress the facts in regard to the robberies and outrages committed by Carrancista soldiers?

Mr. SPELLACY. Oh, yes; the oil companies and the American Government did that right along until lately. You can't get the news in your papers. Indeed, two men told me they tried to get this in the papers and the Associated Press says, "There is a kind of censorship over Mexican news."

They can talk about propaganda and the suppression of it. Our Government has suppressed the truth, and if a committee like this can give out a few facts they should do it. Most of the companies are opposed to taking the chances. All I have got in the world is in there, but I will take a chance, and if they will take the chance and come out and tell these things, then if the American Government don't take things in hand, take them in hand themselves.

Mr. KEARFUL. How could they take things in hand themselves?

Mr. SPELLACY. As the captain of one of the American gunboats said to me one day, he said, "Why in the world, with as many Americans as you have here, don't you do like they did in Panama? Why can't you take Tampico?" I said, "Roosevelt isn't President."

Mr. KEARFUL. What is the reason for the attitude of the oil companies in suppressing the facts about outrages and robberies of Carrancista soldiers?

Mr. SPELLACY. Well, the main reason, I am afraid, was that they were making money; the second was that they consider the facts were so plain and so well known to our Government that ultimately their property must be protected. But the opinion has become general through the country and through Mexico that there is no protection for American property. I don't care so much for that, but it reminds me that I was through Peru and Brazil this summer, and whenever they would state they wanted foreign capital to come in their country, and particularly American capital, I used to look at them suspiciously, because I thought they felt American capital was easily confiscated. We have had some protection during the war, because they had to have the oil.

Mr. KEARFUL. Is it true, as stated by Mr. Buckley, that operators in that region of Mexico must either bribe or fight, and that the oil companies, not being willing to fight, adopted the alternative of bribery?



Mr. SPELLACY. I am sure of that. The United States Government on this side of the bridge and the Mexican Government on the other side of the bridge seeing to it that you get no arms in there; you can't fight. There have been some arms smuggled in, but you can't fight. I could go into more details on that which I am positive are facts, but I hope these companies will make those statements, as they positively could.

Mr. KEARFUL. You think the bribery is not because they want to bribe, but because they are compelled to do so in order to continue their business?

Mr. SPELLACY. Oh, certainly. No one voluntarily stands for any extra expense.

Mr. KEARFUL. The bribery, as I understand it, consists of paying Carrancista officers and agents to do what they ought to do in accordance with their duty under the law without payment?

Mr. SPELLACY. That is the common talk through the district. Now, those boys down there with their books and their facts can probably prove that. I can only say it is the general belief.

Mr. KEARFUL. The bribery is not resorted to for the purpose of getting anything they are not justly entitled to, but simply to get some relief from impossible conditions?

Mr. SPELLACY. Oh, yes; it is absolutely necessary. And another thing, there is undoubtedly an antagonism between the Americans and the Carrancistas. The Carrancistas are the most unpopular people in that country, even with their own people, and our boys, who have had their friends murdered, don't like them a little bit, and the Carrancistas show every contempt, as a general thing, for Americans. But I can say this for Pelaez, on the other hand, that it has been quite otherwise. He was our friend during the war; would not permit any propaganda of any kind in the district; would chase out any persons that there seemed to be any suspicion were there for that purpose. And one of the boys in camp told me some years ago that he was present when Pelaez said, "If the Americans will land in this oil district and give them protection, I will not fight them; I will retire." And one of his best fighting men said, "Retire; I'll stay here and carry water for them." So I know the feelings of Pelaez and his people are not anti-American.

Mr. KEARFUL. Do you know how much the American oil companies are paying the Carranza Government in taxes and otherwise?

Mr. SPELLACY. No; I do not know the figures. It is increasing all the time.

Mr. KEARFUL. Is there any other matter of interest which you can think of which you can state?

Mr. SPELLACY. I do not know, Mr. Chairman. I do not like this accusation which is being made here about this propaganda that is being made in favor of the American oil companies, because I know from the start there it was the rural population that was the main sufferers, and not only at Tampico, but through all Mexico. It has finally concentrated in the oil region, because there is about the only district where there is any American capital which is in operation. But along the border, and particularly through there, it is generally known that some papers in Texas—I have not the facts for it—but the papers speak for themselves, that they are being subsidized by the Carrancistas to not publish the facts, and

when we find any American going into Mexico and stating facts against American intervention or Americans righting of these wrongs, and in favor of the Carrancista Government, we know in our own hearts they can not as Americans state those facts and believe them. We have had one witness here, only speaking in a general way until I can find the proof, who is said to have peddled his interests along the border in favor of the Carrancistas, but I have only the statements of two men for that, and I won't make any further statement until I can get these two men and get their statements. But if you could send some one—and I will contribute to the expense of it—if you can send some man who can not be bought, like Sam G. Blythe, or some one like him, who would go there and report the truth—I can speak for every oil man—that he would contribute to the expense of that, because if any newspaperman goes in there he can make more money from Carranza than from any publisher outside, if he will misstate the case.

**MR. KEARFUL.** Do you think that has been the controlling motive of the men who have gone down into Mexico and come back and published propaganda against the American operators and in favor of the Carrancistas?

**MR. SPELLACY.** I am forced to that belief by one of two things, either that they have not investigated or they are not reporting truths.

**MR. KEARFUL.** And you think also that the question is very far from being an oil question; that is, the question of American rights?

**MR. SPELLACY.** Altogether. It applies to Americans in every part of the country. You see, however, American operators now are confined to a very small strip and attention is drawn to it on that account, but I came up around Cananea, and around there, whatever is said there, I wish to say that Carranza's orders are being paid but very little attention to. Oil men have told me they get their orders from Carranza and take it to the governor, and if he didn't tear it up he would write something insulting on it, telling him he was running Vera Cruz. One of the boys told me they got messages going over the wire to Calles trying to get him to give Carranza a portion of the plunder he was receiving from the Cananea mines up there, but it was impossible up to the time he left for them to get anything from the governor.

Then the colonel refuses to obey the governor, the captain does as he pleases, the corporals and privates run on their own accounts. Anybody who investigates Mexico will find those to be facts and not exaggerations. So I can not understand an American not finding these conditions. They might go into Mexico City and not find these conditions, but if they go where they exist they are forced to these conclusions and to the view that we must go in there. If we did go in and straighten things out, it would be of the greatest benefit to 75 per cent of the Mexican people if we should take them and make them a part of this Government. We might do that, but it would be a mighty big task and it would not be to our interests to do anything of that kind. You can look at Texas, Arizona, California, and see what annexation has done for them, and then look at Mexico. And there are many of these Mexicans who wish we would come in and annex them. Two of the finest Mexicans that I know told me awhile

ago, "While we would not dare to preach it in Mexico, the best thing for our country is annexation. We know it has gone too far for us to get Mexico in proper shape and make it an independent government—things have gone too long for anything but to have Americans take our country, it would be the best thing for us." I know these Indians down there and in a couple of years they would be chesty because they belonged to such a fine Government, and the country is full of orators who would come to Washington and join the orators here and everything would be peaceful. But it has gone too far. And another thing, the longer it goes the harder it will be.

When I first went there there was not one of these peons who now constitute this rabble of any army who knew which end of a gun to put to his shoulder, but they have been shooting and firing until some of them are pretty good shots now, and the longer it goes on the worse it will get. I understand there is a program for reorganizing the army and in less than six months there will be 2,000 officers of a foreign government in there. I see that Carranza is reforming his army, and possibly that is so. If you feed and train those fellows they will make a formidable army. They have never had enough arms and munitions, but if they get plenty of arms and munitions they will make a formidable army. There is a sort of fatalism with them. They will run, and then they will turn around and line up to be shot, and smoke cigarettes and say "Adios." They have been used to that for generations.

I think that is all, Mr. Chairman.

Mr. KEARFUL. The committee is very much obliged to you, Mr. Spellacy.

(Witness excused.)

(Whereupon, at 3.05 o'clock p. m., the committee adjourned till Monday, January 12, 1920, at 2 o'clock p. m.)

Testimony taken at El Paso, Tex., December 22, 1919, by Maj. DAN M. JACKSON, in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate:

Mrs. SUSAN A. MOORE, being duly sworn, testified as follows:

By Maj. DAN M. JACKSON:

Q. Will you state your name to the stenographer?—A. Susan A. Moore.

Q. You are the widow of John J. Moore?—A. Yes, sir.

Q. Where is your residence, Mrs. Moore?—A. I don't know just what you mean by that.

Q. Where do you live now?—A. At the Paso del Norte Hotel.

Q. Did you formerly live in Columbus, N. Mex.?—A. Yes, sir.

Q. For what length of time?—A. Five years.

Q. Do you recollect when you moved there?—A. 13th of December, 1912.

Q. Did you and Mr. Moore have any children?—A. No, sir.

Q. When did Mr. Moore die?—A. 9th of March, 1916.

Q. Will you kindly relate the circumstances attending his death?—A. Now, do you want a little previous to the raid; what happened?

Q. Yes?—A. Sometime previous to the raid there had been a number of reports to the effect that Villa was going to raid Columbus,

and there were also a number of strange Mexicans in town, say, for about a week beforehand. On the day before the raid, after I had had my Spanish lesson, the young lady said to me: "Mrs. Moore, you are not afraid of Villa?" I said, "No; and you?" She said, "No; I have no fear, but my mother and my brother have very much fear." There were two Mexican women in the store the same afternoon, and one of them said to the other, "Do you think there is any truth in the report that Villa will raid Columbus?" and one of them shrugged her shoulders and said, "No." After they went out I said to Mr. Moore, "Do you think there is any danger?" and he just smiled. A little later I was sitting in the back end of the store doing some lace work, and a customer entered. I got up to wait on him; as I got within about 12 feet there was a cold chill swept over me. I looked up at him; I saw he was a small man with dark eyes, black mustache. He had on one of these high-class Mexican hats, and I thought to myself, "He must be a lieutenant in the Mexican Army," and I asked him what he wished in Spanish, and he said, "Pantaloons." I was a little bit uncomfortable all the time I was waiting on him because I felt he was looking at me continually. I did not look at him any more until I handed him the change, and I took a good look at him again because I thought if it was ever necessary to know him again I would recognize him, and he smiled and took his change, and I could feel his eyes on me all the time. As he passed out he gave Mr. Moore a very earnest look. I asked Mr. Moore if he noticed him, and he said, "Yes." I said, "He must be a Mexican officer." Between that time and 6, which was about 4 o'clock, I was debating in my mind whether it would be better to stay in town that night or go out to our country home a mile and a half southwest of Columbus. I decided it would be better to go out there because if they did come in they would raid the stores and hotels, and I thought he would hardly come out of his way for just one family. We went home between 6 and 7, and we stopped at Mr. Moore's cousin's, Earl Moore, half a mile from our home, and I said to Mr. Earl, "You want to look out; they say Villa is coming to-night sure," and he laughed and said it would tickle him to death.

Q. Who was Col. Moore?—A. Earl Moore, a cousin of Mr. Moore. The next morning, as he made his escape through the back window and was crawling on his hands and knees to the barn, he thought of what I said. They took two horses from him, but he was not hurt any. About 10 o'clock I stepped out on the porch—

Q. At night?—A. Yes, sir; at night. And listened a while, and I did not hear anything, and I stepped out into the yard, and it was a beautiful moonlight night as I ever saw, clear as crystal. I could not see or hear anything, and I went back in the house rather reassured. Before retiring I laid out a heavy, long coat, just in case I should need it. We retired about 11. I studied about the situation for an hour and went to sleep. About 4.30, I should think, in the morning I was awakened by some shots, and I laid still and listened; then directly I heard a number of shots, and I thought: "That is a machine gun," and in a little while I heard some more shots from this machine gun. I did not hear any noise around the house, so I hurriedly awoke Mr. Moore. I said to him: "Look, Villa has come in, and he is burning the town." He looked out. We were on the sleeping porch facing town. He said: "You are right;

we had better get dressed." We hurriedly dressed in the dark so as not to attract any attention by making a light; then we went to the front of the house and listened and looked; not seeing or hearing anything, we drew the blinds within 6 inches of the bottom of the window, so we could see out without being seen; then we went to the back of the house, and Mr. Moore stood at the pantry window, screening his body, and just put his head over so he could see, and I got up in front of the window, and he said to me: "If I were you I would not stand directly in front of the window; you might be hit by a stray shot, or some one might see you." I then went to the kitchen and sat down opposite the little kitchen table and watched the burning of the town through the kitchen window. From time to time I would go in where he was, and on one of those occasions I saw a dark object coming down the road. We watched it come to the front, and we decided it was a man on horseback. He was coming just as fast as he could come and did not even look toward the house. We watched him until he was well by, and then went back, and in a little while there were two more Mexicans on horseback come down, and they rode past.

I don't know why, but I watched the crowds come by, and then there were five and seven and nine, and as we watched these all pass I said to Mr. Moore: "Maybe we had better go to the mesquite bushes and hide." I says: "Some of these fellows may take a notion to come in." He says: "No; I don't think so; we have always been good to them, have harmed none of them, and carried them on our backs; we have nothing to fear." We went back then to the back of the house, looked up the road, and I saw a large number coming down. We went to the front of the house. I counted 17. These stopped right in front of the house; a number of them got off their horses. There was a group that stopped beside the well and was looking at the top of the water. I again said to Mr. Moore: "I wonder if any of them will come in." He said: "No; I just think they want some water." I then looked out of the north window at Mrs. Walker's gate, at the beginning of our land. There was a man on a white horse with a cape coat. He looked down the road to these men and motioned to them and then motioned to Mrs. Walker's house, and a number of them, about 10 I suppose, went over and began rapping on the door and looked in the windows. I glanced up toward town, and I saw that the road was thick with them, and they were breaking from town just like a sandstorm; I guess the entire army was coming that way. It seemed to me like a quarter of a mile on either side of the house the road was filled with men. This man on the white horse; I looked back at him; then he motioned again toward our house, and there were 40 or 50 all around the gate, opened the gate and began pouring into the yard. Mr. Moore said to me: "We had better get in the dining room; we will have better protection." I hurriedly stepped to the dining room and then heard these men come up on the porch. They tried the door, which was locked, and then one of the leaders, who had been leaning on the fence previously looking at the water and house, he took the butt end of his gun and smashed in the west bedroom window.

When I heard the crash I stepped where I could see, and I saw him just in the act of entering. Mr. Moore then opened the door. This leader came around, came in, and was followed by a number of

men, just as many as could come into the house, and he said something to Mr. Moore, which I did not hear, and Mr. Moore said no. Then this man looked across Mr. Moore's right shoulder at me and said something else, which I did not hear. Mr. Moore again said no. Then this leader raised his gun and shot, and others raised their sabers, and a few began shooting and stabbing him. He made one rush for his gun, which stood right at the corner of the door, and they blocked his way, prevented him from getting it, and closed right around him. Just then I heard a number of steps on the back porch. The kitchen and dining-room doors were not locked, and a second later the dining-room door opened and the same Mexican who had been in the store the day before purchasing a pair of 32 overalls came in, with his gun just about on a level with my heart, and he said to me, "Gold, money." I told him in Spanish there was no money here; the money was in the bank in Columbus. I told him to take anything that he wanted, only to leave us. He then saw a ring on my finger—my wedding ring. I started to put up my hand—show him my hands. He came around in front of me, grabbed hold of my hand, and started to take off this ring. The house was filled with Mexicans then from all sides, and one of his men stepped up and grabbed me by the right wrist and another one by the left. This, I knew, was very tight. I had my doubts whether they could get it off. I had tried it the day before with a silk string; and thought they would cut my finger off, so I tried to help them get off my ring. As I did, he noticed two rings on my right hand, so he started to take these off. They were quite tight; I started to help him.

I looked out to see how Mr. Moore was getting along. He was about halfway across the porch and he was surrounded by these men, and the left side of his face was all bloody; there was blood all over him. I knew he was either dying or just at the point of dying—staggering. They got the two rings off then, and they started in on the other hand, and I looked out again and I saw Mr. Moore on the front steps. I knew then that he was absolutely killed. One man was taking off his rings, another man had his watch in his hand, and they were taking his clothes. I thought at that time that to save myself I would either have to outwit them or startle them, and the thought came to me to scream, and just as the wedding ring was leaving the last joint of my finger I screamed twice, and at the same time I looked toward Mr. Moore to attract their attention away from me to him, and their hold loosened on my wrist just a little. I gave one big jerk and jerked away from them. I pushed the dining-room door open, and I was shot at in the kitchen. There is a big hole there now about that big around. I ran across the porch, and as I stepped down I looked out toward the garage, and there were a number of Mexicans around the garage, and when they saw me they shouted, "Senora, senora, mira," and began laughing. The camp was about a mile from home, and I started to see if I could run there. I ran just as fast as I could. When I got within, say, about 100 yards—the bullets were flying very fast all the time—and I felt a sensation in my right leg. I knew I had been struck. I went ahead. In about 50 yards from there I fell. I knew I must not lay still, because it would mean certain death, so I got up again and went a little ways farther, and my right leg buckled up on me and I fell again. I got up again and went as well as I could, rather slowly. I had to kind

of hop on one leg and carried my wounded leg. The fence was about—we had 20 acres inclosed—the fence, I think, was about 100 yards from where I was then. I thought if I could only get over the fence I would be so much safer.

I got up to the fence, and then went to get on the other side. I thought that would be impossible, because it was a rabbit-proof fence, buried about a foot in the ground; on the top was three barbed wires; I did not see how I could climb it; I knew I did not have strength enough to dig in with just my hands, but I tried, and I got over the fence without even catching any of my clothes; I fell right down side of the fence; I laid still a little while; the shots were coming just as fast as they could come; I looked back and saw that the house was almost surrounded by Mexicans in great numbers, and there were, I guess, 50 or more guns pointed in my direction, all shooting. There was a cluster of mesquite bushes about 25 feet from me; I thought if I could get over there and crawl under the mesquite bush and cover myself up with the dark coat they might think I was dead and stop shooting; I was unable to get up at all, so I dragged myself on my left side over to these bushes and got in around them as well as I could, and I had on a white waist and a gray skirt, and covered myself up so nobody would see that I was a woman, and turned my face in the other direction. I reached down; I felt that my clothes were all saturated with blood; it kind of sickened me. I thought, "Well, my time has come." I closed my eyes, and prayed, and was unconscious for the first time in my life. Later I was aroused by the sound of horses' hoofs, and I looked up and I saw the United States Cavalry; the Thirteenth Cavalry come across the corner of the 20 acres. I looked down at the house; I saw there was no one down there at all.

I then took out my handkerchief and reached as high as I could and hung it on a mesquite bush and called and waived. Directly I saw three horsemen turn out in my direction. As they came up I recognized Capt. Smyzer, with a private on either side. As they came up he said, "Why, it is a woman," and he said, "My God, Mrs. Moore." He asked me if I was hurt, and I said, "Yes; Captain, I am shot," but I said, "I can wait if you will go down to the house and see what you can do for Mr. Moore; they have killed him, and you will find him on the front porch." He said, "But we must do something for you first." I said, "I am only shot in the leg; I can wait; I would rather you would go down and take care of him." He then said to the private on the right, "Get the ambulance." This man almost turned his horse over in his haste, and he said, "All right, Mrs. Moore, we will go down and take care of Mr. Moore; we are chasing the bandits into Old Mexico, and we will have to hurry." I said, "All right." I watched them until they got down to the house, and I thought the ambulance would soon be there, and my leg was painning me terribly then and bleeding very freely, so I tore my petticoat ruffle and bound myself both above and below the wound. I closed my eyes again, and was unconscious. Just at the time I was very cold, too. It was early morning and very cold. I closed my eyes, thinking the ambulance would soon be there and I would be all right. A little later on I was aroused by pain in my leg. I looked out and I saw a number of the United States boys scouting, with their guns drawn. I raised up and motioned to them,

and one of the boys came over to me and he said, "Mrs. Moore, you raised your face just in time; I thought you were a Mexican, and was going to finish him." He said, "I never dreamed of you being way out here."

A number of them rushed up then, and two then pulled off their coats and made a bed for me, and Sergt. Johnson, he just cut my clothes right down and gave me first aid to the injured, and when this was finished Lieut. Castleman, who was officer of the day, came up, and he asked if the ambulance had not arrived yet; some one said "No." He said: "See that it gets here at once." He said: "Have patience, Mrs. Moore; we are very busy this morning; you will be taken care of just as soon as we can." I said: "All right." At this point there was a woman—Mrs. Maud Hawks Wright came up, and she was dressed in a coarse linen dress with a little Dutch bonnet, and was very, very dirty. However, I was glad to see a woman, especially an American, and she came up to me and said she had been a prisoner of Villa for nine days. I looked at her; she looked like she was hungry to me. I asked her if she had had any breakfast. She said: "No." I told her when we got to town to go to any of these restaurants and get whatever she wanted and have it charged to me, and I asked her to stay with me and go to town with me in the ambulance, which she did. When they started to lift me to put me in the ambulance they thought my leg was broken or something, so they dug up a fence post and bound it to the right side of my body, so as to lift me easier. I had them bring a mattress from my home and put in the ambulance. I was taken to headquarters, where Dr. Cummings, an Army doctor, began dressing my wound. I was then taken up to the Hoover Hotel. As they passed through town I raised up sufficiently to see the hotel, Lemon & Rumney's store, and Juan Sevilla's home and some other buildings in ruins. I also saw a large number of Mexicans, dead Mexicans—dead and wounded Mexicans. As we passed the store I noticed the windows were all smashed in; the store was raided.

I arrived at the Hoover Hotel about 10.15; I had three nurses; all that night the town was heavily patrolled. The guard outside of my window told me if I could sleep to do so, he would see that no one got there. The Hoover Hotel—the floors were just covered with men that night, and women came there for protection and to spend the night. Friday, the next day, there was a great deal of excitement, as some one reported that the Mexicans were starting and were coming back. I was carried from the front room, in which I was, back to Mrs. Hoover's room, covered with a mattress, and my nurse covered herself as well as she could. I was at the Hoover Hotel Thursday and Friday, and Saturday I was put aboard the El Paso train, the same train on which the dead bodies were taken for El Paso. Mr. Moore's body was taken to the Peak establishment, as I decided to have him taken back to his home at Bucyrus, Ohio. I told them I wanted to accompany him; they told me that was impossible; but I told them to get me a ticket and make preparations, I had decided to go. I was taken to the big hospital here, Hotel Dieu, where I was again treated, and was there the rest of Saturday and Sunday, and Monday I was taken to the train and put aboard on a stretcher for Ohio. I had just one change to make at Chicago, and that was made with difficulty, because I had to be taken in and out



of the window, and at the latter part of the journey I had to be turned about every five minutes, I was in such pain. When they got within about two blocks of the depot at Bucyrus I looked out of the window, and I saw a funeral procession; this was Mr. Moore. My train cut the procession right in two. This was as near as I got to attend the funeral.

Q. Now, Mrs. Moore, what business was your husband engaged in at Columbus?—A. Merchandise, dry goods.

Q. Approximately, what was the amount of stock he carried there?—A. Well, we had a stock, I should think, about \$10,000 or \$12,000.

Q. General merchandise?—A. Yes, sir.

Q. You had been engaged in business there since 1912?—A. Yes, sir. Mr. Moore had a partner, Mr. Peck. I said to him one day, "What is the use of dividing the profits as long as we are going to stay out here in this awful country?" I says, "We can take it ourselves, and be through that much sooner." I said, "I will be your partner." He laughed and said, "No; I don't want you to." I said, "Well, you can use my name; we can get through that much sooner." So I said, "I will tell you what you do, let him buy us out or we will buy them out—him and Mrs. Peck." So it fell our lot to buy them out, and the firm became Moore & Moore then. I did not do anything in the store. I just loafed down there a good deal, because it was more agreeable than staying at home.

Q. You owned a merchandise business in the town of Columbus?—A. Yes, sir. At the time we took it over we owed the bank money, and we owed quite a bit for merchandise, and things were not paid up, were not cleared up. I was absolutely helpless, so I gave a power of attorney, and I was away for—let me see—March, April and May; returned to Columbus the latter part of May. I was very unhappy up there. I did not think I would ever see this part of the country again. But I decided if I ever paid out the debt—got out clear—I would have to come back and see how things were going. I came back, and things were not going right. I was not being treated altogether fairly, and I knew then—I knew I would just never get out of debt if I did not take charge myself, so I revoked my power of attorney, and on the 14th of June I took entire charge of the store, and I conducted the business up until March 3 of this year. All this time I had to live in the back end of the store, with a revolver under my pillow and another one up in the front end of the store. During these three years there have been a number of reports to the effect that Villa was coming back, so I just lived in fear all the time; I was afraid of a nervous breakdown.

Q. You owned about a twelve thousand stock of merchandise. Where was your residence in reference to the town of Columbus?—

A. A mile and a half southwest of the town.

Q. A mile and a half southwest?—A. Yes, sir.

Q. How far were you from the border?—A. Mile and a half.

Q. When did you first learn that your husband was dead, Mrs. Moore?—A. Before I left the house; I could see him.

Q. You say he was shot and stabbed?—A. Shot and stabbed, and his body was just mutilated. They did not let me see him afterwards; they did not let his sister know. I know because I just saw what they were doing.

Q. Do you know whether or not there was a post mortem on his body there?—A. I don't know.

Q. Was his body prepared for burial there or here?—A. I think something must have been done there to get it to El Paso, and then taken to Peak's establishment, and then further taken to West & Co. there, and was further fixed up.

Q. This was on what day in March?—A. March 9, 1916.

Q. You stated in your preliminary statement that you had had some notice or warning of a raid?—A. Yes, there were a number of reports.

Q. Ma'am?—A. I would say for six weeks or more.

Q. What were they?—A. You would just hear—people would come in the store and say they heard Villa was going to raid the town; some would laugh, and say nothing to it, and others were uneasy.

Q. Was the rumor persisted in; did you hear it often?—A. Quite often, the last part, within a week of the time it occurred. Quite often.

Q. Was that from the Americans or Mexicans or both?—A. Both.

Q. Who was the commanding officer at that post?—A. Col. Slocum.

Q. Did you ever hear him talk in regard to the anticipated raid?—A. I don't recollect anything definite. People would come in the store and they might say something, and they might not.

Q. Had you been living in the store before this raid?—A. We had one room at the back end of the store. We had a couch we could make into a bed any time we might choose to stay there.

Q. Did you go to your residence this night by reason of fear of a raid?—A. Yes, sir.

Q. Your store is right in town?—A. On Broadway—the center.

Q. What was your home worth?—A. I don't know, exactly, but I think we spent \$4,000 on the building, and the well cost us in the neighborhood of \$1,300.

Q. Was the house damaged by the raid?—A. This is the condition of it, standing idle; people have torn the metal out [referring to photograph].

Q. Were the windows broken?—A. Yes.

Q. Did you suffer any loss of personal property from the raid?—A. Well, yes; there were three rings and a number of things in the house. I had a very handsome bunch of paradise, worth about \$75; they were gone. I had a hand-painted vase I brought from New York with me, worth about \$35, and a number of things taken from the house—household effects. When I went back it seemed like it was almost empty. We had three tables in the store that overalls were piled upon, size 30 on one, and 31 was on another. When I got back, it seemed to me like there was about a dozen pair left.

Q. Did you take an inventory?—A. No; I did not.

Q. Did you approximate what you lost out of your place of business?—A. The man who had charge did; I don't know what was taken out; I was gone for three months, and the store opened up, I believe, on the 13th again for business. He told me he did not buy any more than what he had to to carry on the business with, because I had decided to sell and get away as soon as I could.

Q. Then there was no approximation made?—A. No, sir. Before the raid the store was just jammed from the floor up to the ceiling, we had the heaviest stock we ever had, we were doing a good business, but after I went back and looked around I hardly knew the place. My first thought was simply to go back and close out everything and get away, go back to New York to my home, and I saw that would be impossible if I was ever out of debt, and the only thing to do would be to take charge, and do the business, while it was there to be had. The troops were in Old Mexico then. So I took charge, and did all the buying and bookkeeping and everything like that. I did not know anything about it. So as to know what price I would ask I told the drummers I was going to take charge. I said: "If you want me to buy from you, you will have to help me, when you make out your bill make out also the retail price I shall charge, so I can get my bearings," so they all did this, and I worked the stock down to a very small amount; and then the latter part of last February there was a report that everybody was very much concerned about. Mr. Burton, the telephone man, I know he backed his machine in the garage, so he would not have to take time to turn it around, so if anything happened. Mr. French did the same thing, and I don't know how many others. I stayed all night with these people, and one of the captains, who lived near the Burtons, came over and asked permission to leave his wife there in case anything happened he had to go on duty. Nothing happened. So along about the 1st of March there was another report that was very strong. I just thought I could not stay any longer.

Q. I am just trying to get at what was the loss in personal property there by reason of the raid?—A. I just don't know.

Q. Did you lose any silverware from your residence?—A. No: two or three days before the raid I gave it to a party, and they did not get any of it.

Q. You lost your watch and rings?—A. His watch, and all of his clothes, except two suits of underwear. He had a number of good suits. His ring was taken, his watch, and his clothes, and a number of—I don't know what they took out of the house.

Q. Do you know the approximate value of the property taken?—A. No.

Q. And you have not approximated the value of the property taken from the store?—A. I can not do that.

Q. As you went to the hospital that morning, did you learn whether the store had been broken into?—A. Yes, sir; the windows were all smashed in. The front of the store was all smashed in.

Q. Now, you say the raid occurred; you saw the fire about half past 4 in the morning?—A. I would think so; we did not make any light. I don't know what time it was, I did not want to attract any attention.

Q. How long was it after you noticed the fire before the American lieutenant came up to you, the American captain?—A. I would think it only took about, I would say about 15 or 20 minutes for them to attack the house and us, and kill Mr. Moore, until I got away. I think 20 minutes would cover all of that. I don't know how long I was out there in the mesquite bushes.

Q. Was it after daylight?—A. Yes, sir; after daylight. In fact, before I left the house it was light enough to see well, you know.

Q. How old a man was Mr. Moore?—A. Forty-two.

Q. Did you suffer from this wound, Mrs. Moore?—A. I am suffering right now, so far as that goes; my legs are a little sore, and at times I limp.

Q. What physician attended you here?—A. Dr. W. L. Brown.

Q. Now, this is a picture of your residence prior to the raid?—

A. We built it and got it in shape like that the first summer, it was built in 1913. On the right we had a beautiful rose bush, and a rose garden all around here, and a rose bush around here. This is the vineyard with 81 vines, which were bearing, and then out here to the south of the house we had about 10 acres in fruit trees. That was the first summer, so at the end of 1916 you see we had got it in very good shape. As it is now I can not get anybody to live there. I succeeded in getting a few people in for a short time.

Q. Would you like to leave these photographs with the committee?—A. Yes, sir. Here is a newspaper clipping from the Tribune, and here is a little sketch of Mr. Moore.

Q. Now, you spoke of a Mrs. Wright that came to you?—A. Maud Hawks Wright.

Q. Where is she now, Mrs. Moore?—A. I have no idea. She was the one that was Villa's prisoner for nine days, and Mrs. Slocum brought her here to El Paso. She is the one that Villa killed her husband, and took her child. There was quite a bit in the paper about it, I think the child was cared for by a Mexican woman, and she got it afterwards.

Q. This story here you have handed me, with head lines "Columbus Raid, Mrs. Lillian Riggs?—A. Yes, sir; she was the custom man's wife.

Q. Now, Mrs. Moore, you say the Mexican who held you up and robbed you of your wedding rings, was the man to whom you had sold the pantaloons?—A. No. 32.

Q. Do you know his name?—A. I do not.

Q. When was this in reference to the raid?—A. The day before, about 3 o'clock in the afternoon.

Q. You have described his dress?—A. Yes, sir; he had on a pair of overalls, I don't know what kind of leggins, and this beautiful Mexican hat was what attracted my attention, and then his eyes were very piercing, and he had a rather heavy mustache, and heavy eyebrows, was quite an unusual man, and I recognized him instantly when I saw him the next morning.

Q. Do you think of anything else you would like to say, Mrs. Moore?—A. I think that is all.

Q. Mrs. Moore, were you familiar with the Villa soldiers?—A. Yes, I think so. These looked more like bandits to me. They were not dressed in soldier's dress at all—just dressed every way.

Q. Did you recognize anyone aside from the one you have spoken of, to whom you sold the pants? Did you recognize any of the balance of them?—A. No.

Q. Did they seem to be in charge of anyone, any officer with them?—A. Yes, sir; I think there were three officers. The man who came in on me and the man who stood at the fence looking over at the water sometime, he looked like this fellow Lopez.

Q. How did you recognize him as Lopez?—A. I saw a picture in the paper of him later on, I could not swear to it, but it seemed to me to be the same man.

Q. Martin Lopez?—A. Yes, sir. And then there was a man who was on horseback—I could only see this party's face, as he motioned like this—he was an officer of some kind—I don't know—I saw Villa once, and he was about Villa's build, and his general style; I can not say it was Villa.

Q. Was he the man you spoke of as being on the white horse?—A. Yes, sir; he was on a white horse, with a cape coat. I only saw him standing in the road on this horse; did not see him sufficiently well to say who it was; from general appearance he resembled Villa; whether Villa or not I can not say.

Q. Was it your impression that he was in charge of the expedition?—A. Yes, sir; he stood there; they did not do anything until he came up. He stood there and motioned to Mrs. Walker's house, and then motioned to our house, and then came in.

Q. What statement did Mrs. Wright make to you?—A. She said she had been taken prisoner by Villa.

Q. At what place?—A. I don't remember. That her husband was killed, and she did not know what became of her baby; they took her baby.

Q. And that she had been a prisoner for nine days?—A. Nine days; and she said they treated her just fine; when I asked her if she was hungry she said "Yes." She said she had not had anything to eat for about nine days except raw meat. When they got hungry they killed a mule or horse and each one of them would take a piece of meat; if any was left they would hang it on the horns of their saddles; when they got hungry again they would eat it.

Q. Did she tell you whose force this was?—A. She said she had been a prisoner of Villa for nine days. I assumed it was Villa's force.

Q. Did she say whether there had been any indignities heaped upon her?—A. No; she said they had been just fine.

Q. Did you understand from Mrs. Wright that she had been taken prisoner in Mexico?—A. I don't know; she did not say. I have been in the hospital twice since then. My ankle here—I am inclined to think this is a result of nervousness—I cut it to the bone, and Dr. Brown took care of it.

Q. Did you cut it on the barbed-wire fence?—A. No; this was since I came to El Paso. I dropped a bowl and cut it to the bone; a piece flew back and cut my ankle to the bone. Dr. Hughes put in two stitches that night, and the next morning I had to be carried in a chair out of the hotel to the hospital, and Dr. Brown put in a number of stitches; he had to cut it up here to catch the ligaments.

Q. You still, I understand, was suffering from the nervous shock?—A. Yes, sir. I feel this was the result of it, because everything I touch, you know, I am just as nervous as I can be.

Q. What is your permanent address, Mrs. Moore?—A. Before I came out here, Walcott Hotel, New York City; then Columbus; and then came here to the del Norte; then I went back to Columbus; then came back to the del Norte Hotel again for a couple of weeks, and went over to the Y. W. C. A.

Q. You can be reached there by letter?—A. I am going to Columbus to-morrow.

Q. That is for the holidays?—A. Yes, sir; I only expect to stay there two weeks.

(The claim for damages, photographs of the Moore home, and the newspaper clippings were deposited with the committee.)

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Testimony taken at El Paso, Tex., December 26, 1919, by Maj. Dan M. Jackson, in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate:

JOSEPH ALLEN RICHARDS being duly sworn, testified as follows:

By Maj. DAN M. JACKSON:

Q. What is your name?—A. Joseph Allen Richards.

Q. What is your age?—A. Thirty-five.

Q. What is your business?—A. Switchman.

Q. Where have you recently been employed?—A. The last switching I have done was on the M., K. & T. at Parsons, Kans.

Q. During the month of October, this year, were you employed?—A. Yes, sir.

Q. Were you a civilian employee of the Army?—A. Of the Army? Yes, sir.

Q. As such employee, did you have anything to do with the recovery of the bodies of the aviators who were lost in Lower California?—A. Yes, sir.

Q. Do you remember their names?—A. Cecil Connelly and Frederick B. Waterhouse.

Q. What was your first information or knowledge of the whereabouts of these bodies?—A. I found them while on a trip to Mexico in the Bay of Los Angeles, Lower California.

Q. Is that on the east or west coast of the peninsula?—A. Now, I want to ask you a question in regard to the coast; the west coast is on the Pacific side?

Q. In reference to the port of Guaymas, which is across the bay from the peninsula?—A. No, sir; it is right across from the Tiburon Island.

Q. It was then on the west coast?—A. No, sir; it was between Sonora and Lower California, on that side. The Gulf is between the two.

Q. It was at a point opposite the Tiburon Island?—A. The Tiburon Island; yes, sir.

Q. What was the approximate date you discovered these bodies?—A. Twenty-first of September at 12 o'clock.

Q. In the day?—A. Yes, sir.

Q. Just relate the circumstances under which you happened to find these bodies.—A. I was a passenger on board the Mexican steamer called *Navari*, of Santa Rosalia. I had come from the mouth of the Colorado River on the same boat, and we had no drinking water, so we pulled into the Bay of Angel to replenish the stock of drinking water—11 kegs. I took a keg and went up to the spring and filled it. I was the first man back to the boat, so when I got back I began walking around the beach looking for sea shells. I

smelled an awful strong odor, and about 10 feet from where my keg was I seen a mound of dirt sticking up. I went over there and I seen a human skull in the sand. I dug the skull up and looked at it; it was such a small skull. Then I took part of a turtle shell and dug in the sand and hit against a boot. I reached down with my hand, got hold of the boot, and pulled on it. I pulled him clean out of the sand. About 6 inches of sand was over him. I pulled him out and made an examination of him, and I seen he had on the Army uniform. This man had on high-laced boots, with knee-cord Army pants. I searched him, and in his right-hand pocket he had a pair of gold cuff buttons, with the fancy letter "C" on them, and—I don't know what you call it—a pair of bird wings, with a propeller in the center of them.

Q. Insignia of the Aviation Corps?—A. Something like that. It stood straight up and down, and one little short bar—about that long—silver. That is all this man had on him. I went and got a shovel then from the boat, the crew did, and dug this other man up. I took their clothes off down to the knee and examined them and found black hair on one and sandy hair on the other. The other man had in his watch pocket just one of these propeller wings and a lieutenant's bar. He had on a pair of ox-blood shoes, leather leggins, marked: "Hanan Brothers, New York." I then dug a grave 4 feet deep, but both of them in it side by side and buried them and went on to Santa Rosalia.

Q. This was on what date?—A. September 21.

Q. Who was master of this boat?—A. I have got his name here—Alejandro Abaro, captain of the steamer *Navari*.

Q. What was the size of this boat?—A. She was, oh, I judge about 50 feet long; just a small steamer that plies in the gulf.

Q. How many passengers were aboard of it?—A. Me and this Italian, the only passengers that came down.

Q. Do you know the Italian's name?—A. William Rose.

Q. Do you know where he is now?—A. I suppose in South America; he was headed that way.

Q. Was he present at the findings of these bodies?—A. Yes, sir.

Q. Who was present besides you and the Italian?—A. Eleven Mexicans and the captain, and a Mexican prostitute.

Q. Did you find any evidence there of violence to these men aside from the crushed skulls?—A. One man's head was crushed, and the other man's back was all bloody—his underwear and clothing.

Q. Could you approximate how long these men had been dead?—A. From the waist down the bodies were in perfect condition, but up here was all eat out. There was no meat on the skulls. I judge they had been there about 10 or 15 days.

Q. Had there been an effort made to bury the bodies when you found them?—A. They had been covered over; yes, sir; with about 6 inches of sand.

Q. How far back from the beach were they, or the high water?—A. Just about the high-water mark.

Q. Was there any evidence of a wharf where a boat might have been tied up?—A. No. We just pulled in and dropped anchor.

Q. How far is this spring you went to back from the beach?—A. About a good 200 yards.

Q. Was there anything to detect it from the bay?—A. Yes, sir; green olive trees, and some other kind of fruit trees.

Q. You caused some snapshots to be made of the location of the spring?—A. Yes, sir. Here is the spring right here. [Exhibit 1.]

Q. What is that X marked there?—A. That is where the inquest was held, in that house. Here is another one [Exhibit 2]; that is the olive trees there. That is where the bodies were found. [Exhibit 3.]

Q. After having buried these bodies you proceeded with the boat to Santa Rosalia?—A. Yes, sir.

Q. When did you arrive there?—A. Arrived there on the morning of the 25th.

Q. Of September?—A. Yes, sir. A storm held us in a little port there for two days.

Q. Did you have any occasion at the port of Santa Rosalia to notify anyone about these bodies?—A. Yes, sir; I went aboard an American steamer called the *Providencia*, of San Francisco, and made a sworn statement, and showed him these things I had taken.

Q. Was that a private-owned boat?—A. Company boat.

Q. Do you know the master of the boat?—A. No; I had his name. The boat, right now, is in dry dock in San Francisco.

Q. You don't know her owners?—A. Yes, sir; I did. I beg your pardon; she was sold the other day to Boleo Co., of Santa Rosalia, a French mining company.

Q. You made this sworn statement to the master of that boat promptly?—A. Yes, sir; as soon as I got there.

Q. Had you had any talk with the master of the little Mexican steamboat?—A. Yes, sir; he told me if I valued my life and liberty I had better never open my mouth of what I had seen.

Q. When did he tell you that?—A. About 30 minutes after we pulled out, aboard the *Navari*.

Q. Was that said in the presence of anyone else?—A. In the presence of this Italian, and Mexican crew; they were all around me.

Q. You are familiar with the Spanish language?—A. Yes, sir.

Q. You speak it fluently?—A. Pretty fluently; yes, sir.

Q. You have had many years experience?—A. Seven years down there.

Q. Now, what did you do after making this affidavit to the master of the *Providencia*?—A. Why, I went ashore then; he was just about ready to leave; the *Providencia* was. He told me he would wire just as quick as he got out of the zone; I don't know what he meant by that. He said: "As quick as I get out of the zone, the three-mile zone, I will wire." So when I went ashore nobody bothered me for an hour, and when the *Providencia* pulled out I was arrested.

Q. What reply did you make to the master of this Mexican boat when he told you not to tell this thing, Mr. Richards, if any?—A. I just told him "All right; I would keep my mouth shut."

Q. Did he know of your visit to the *Providencia*?—A. Yes, sir; he watched it.

Q. How did you make it to that boat?—A. I just boldly walked up to it.

Q. Oh, they were all in the same harbor?—A. He could not help but see me, because his boat was about 50 yards from the *Provi-*



dencia, and the dock ran right right around in a half circle. He could not help but see me.

Q. You say about 30 minutes after the *Providencia* had cleared you were placed under arrest?—A. Yes, sir.

Q. By whom?—A. By the captain of the port.

Q. You mean an officer of the Government?—A. Officer of the Government; yes, sir.

Q. Do you know his name?—A. No; I do not; he is an old man, about 55 or 60 years old, wears glasses, with long gray whiskers.

Q. Did he place you under arrest in person, or have it done?—A. He had it done by two men in uniform; they had white uniforms on and military caps. I judge they were navy caps, or something.

Q. What statement, if any, was made to you at the time you were apprehended?—A. They took me up to the office and asked me my business aboard the *Providencia*. I told him I went up there to see if I knew any of the crew; he called me a God damn liar! he says, "You went up there to report the finding of the two murdered men." I says, "I don't necessarily know they were murdered." He says, "That is what you told the captain of that boat you went to."

Q. Who told you that?—A. The captain of that port. He says, "You God-damned gringos come down here and start trouble when we don't bother you." I says, "I have not started any trouble at all," he says, "You will wish you hadn't before we get through with you."

Q. What happened then, if anything?—A. He wanted me to sign a document there, I did not know what was on it. This was about an hour later. I did not know what was on it. I refused to sign it. He went outside, then two policemen came and took me to jail.

Q. How long were you in prison?—A. I was in prison from Saturday, about 11 o'clock, until Sunday evening.

Q. Was this on the 25th?—A. Yes, sir.

Q. On the day of your arrival there?—A. The day of my arrival; yes.

Q. What was your treatment while you were prisoner?—A. Mighty rough.

Q. What did they do to you, if anything?—A. Well, they took my clothes all off of me the first thing they done, stripped me naked in a little cement hole about—you could just lay down in it—that was all dirty and filthy—no toilet in there. They took me in there, took my clothes off, and I asked them for a drink of water and the guard, I asked him, he said besame el culo, meaning kiss my —, and I did not say nothing. So they changed guards. When the new guard came on I asked him could I have a drink of water, he said, "sure," he asked me if I had any money, I said: "They taken \$10.50 away from me." He said: "I will get it for you," so I stayed there without any clothes until they let me go.

Q. What formalities did you go through after they let you out?—A. They brought this paper there and I just signed it.

Q. Did you know what the paper contained?—A. No, sir; I don't until this date. They took me up on the hill to the juzgado menor—that is, the lower court.

Q. And the military authorities took you in charge?—A. They took me in charge; they treated me a little better.

Q. What did they do with you then?—A. Well, they took me up there—this was about 4 o'clock in the evening. They gave my clothes back and took me up there, and the secretary of the town, they call him; he is a half Mexican and half Frenchman. He told me I was charged with robbery. I asked him who in hell I had robbed, and he said: "You robbed dead bodies." I says, "All right." Then he put up the argument to me: "Why didn't you come to the Mexican authorities when you landed here with this story and these articles instead of going to an American captain on that boat?" He says, "You are in Mexico now, not in America." I told him I did not know any different; I was ignorant of the law. He says, "Well," he says, "We have got a charge of robbery against you and the charge of molesting corpses before inquest was held." I told him I was ignorant of both laws; I had not robbed anything. I got kind of bewildered in talking Spanish; I got all mixed up; I did not know anything about them big words, so the judge, Juez de Primera Instancia—he is the mayor of the town—I went and got him; he talked English good, just as good as I do; he is a Mexican. He says: "I can not act officially; I can act as interpreter for you," is what he told me, "but," he says, "I will give you a little help." So he came in there; he says, "You ask whatever you want to and I will interpret it for you, so then I just put the case up to this district attorney," I says: "Suppose I was to come along and find your brother and father murdered in the sand, and I was to dig them up and try to find out who they were and bury them a little deeper, so the coyotes would not eat them up, would you call that an inhuman act or a human act?" I says, "I done this just through an act of humanity," and so they got to studying it over a little bit, and the captain of the port came up again while I was arguing my case; he says, "Throw the gringo bastard in jail; don't let him go," he says, "He done reported to the United States now, so you might as well hold him."

So they got to figuring how many days the *Providencia* had been out of Santa Rosalia. She had been gone then a day and a half. I says: "All right, you call me a gringo if you want to; I never said I am a gringo; I am a German, born in Berlin; I am not a gringo." This captain of the port asked me: "Can you talk German?" I say: "Just as good as I talk English." He says: "I will damn soon find out whether you can or not"; so he never got anybody up there to talk German to me; if he had of, I don't know—well, there was nobody came up. They asked me two or three times where I was going; I told them South America. They went and got this Italian then and asked him if I was going with him to South America. He says: "Yes; I am paying his way." He never came to me all the time I was in trouble until they sent for him. So he told them I was going to South America, and they let me go.

Q. Do you remember the date you were discharged?—A. Sunday evening.

Q. Then where did you proceed to?—A. To Guaymas.

Q. Aboard what?—A. Aboard the *Prickison*, sister ship of the *Providencia*.

Q. Was it owned by the same people who owned the other boat?—A. Yes, sir.

Q. When did you land in Guyamas?—A. The next morning.

Q. Did you land in Empalme or Guaymas?—A. Guaymas.

Q. What did you do then, if anything, in regard to this information you had?—A. I never said a word; I kept it to myself; and I went up to the—I had no money—I went up to the general manager of the Southern Pacific de Mexico Railroad and told him I had worked down there, was stranded, and would like to get transportation to the United States. He gave it to me.

Q. Where did you come out of Mexico?—A. Nogales.

Q. On what date?—A. On the 28th.

Q. 28th of September?—A. Yes, sir.

Q. What, if anything, did you do then toward reporting this information?—A. I went right to the intelligence department. They got me, I did not get them. They were waiting for me to come out, the consul at Guaymas had wired them I was coming.

Q. The American consul?—A. Yes, sir; Mr. Yost.

Q. Had the *Providencia* made a report of your story?—A. Yes, sir.

Q. How long did you stay in Nogales?—A. I was in Nogales from the 28th to the date of that telegram there. I don't quite remember the date when that telegram came.

Q. This is apparently a copy of a telegram from Harris, adjutant general, addressed to you at Nogales, dated 11th of October, 1919.—A. The 12th of October I left Nogales for San Diego.

Q. To whom did you report?—A. To Maj. R. S. Bratton.

Q. You went where?—A. To Los Angeles, and from Los Angeles to San Diego.

Q. Then what did you do?—A. They kept me in San Diego, I think it was, four days, four or five days, then I went aboard the United States destroyer *Aaron Ward 132*, and started for Mexico.

Q. Is this a picture of the destroyer [Exhibit 4]?—A. Yes, sir.

Q. Did Maj. Bratton accompany the expedition?—A. Yes, sir; he was in charge of it.

Q. When did you put into the Port of Angel?—A. On the 19th of October, about 5 o'clock, we put in.

Q. Did you have any trouble locating the bodies?—A. No; about five minutes.

Q. You went with the crew?—A. We went in in a power boat; left the battleship out so in case there were any Mexicans there they could catch them, and the boat came in afterwards.

Q. What did you do then?—A. Took shovels—we had shovels—I took a shovel and dug around the bodies, then we put a guard up that night, then the next morning we went in and dug them up and put them in caskets.

Q. Took them aboard the boat?—A. They examined them first, the Mexican authorities.

Q. Where did you pick up the Mexican authorities?—A. At Ensenada.

Q. Did they accompany the expedition from Ensenada, then?—A. All the way up and back; yes, sir.

Q. When you got the bodies aboard the boat where did you go?—A. We went 20 miles up the coast to where the aeroplane was.

Q. Did you know anything about the aeroplane?—A. Only from overhearing a conversation.

Q. Whereabouts?—A. From the crew on the first ship down; I had overheard them make the remark that the aeroplane was worth salvaging.

Q. Worth salvaging?—A. Yes, sir; they could sell the engine of it.

Q. Do you remember whether they were members of the crew or officers of the steamboat?—A. The whole works, the whole business. Now, there is another incident there I would like to mention before we leave. Up by Angel, going down on the first boat, they pulled around a bend there to what is known as the old mine, American-owned mine, by Mr. Thompson, of Nogales, to-day owns it. He had a coal pile there and a Ford truck, auto truck. The crew of the *Navari* stole the engine out of the Ford truck.

Q. On the trip you were with them?—A. On the trip I was with them, and stole 17 sacks of coal, but I did not know then it was an American-owned mine until I got back. I was telling some people in Nogales about it, and Mr. Thompson came up and told me it was his property.

Q. When did you overhear this conversation about the aeroplane being worth salvaging before you discovered the bodies or afterwards?—A. Afterwards.

Q. Had you heard anything about the aeroplane before you found the bodies?—A. No, sir; but from the action of the crew and the action of the men they knew it was there.

Q. And it was through this conversation that you knew where the wreck of the aeroplane was?—A. Yes, sir.

Q. Did you have any trouble discovering the aeroplane?—A. No, sir; we seen it right on the boat.

Q. That was the first time you had seen it?—A. Yes, sir.

Q. Was there one or two machines?—A. One.

Q. Do you remember its number?—A. No, sir; come to thing of it, I never seen any number.

Q. Was it intact?—A. Yes, sir; the picture is there.

Q. Had it been damaged in any way?—A. Only some minor parts taken.

Q. Is that a picture of the aeroplane? [Exhibit 5.]—A. Yes, sir.

Q. Did it have the insignia of the United States painted on it?—A. Yes, sir.

Q. Bull's-eye?—A. Yes, sir; painted underneath the wings.

Q. What did you do with the aeroplane?—A. They dismantled it, took the engine and all parts worth salvaging aboard, and burned the frame, and put a small monument up there.

Q. What is this a picture of? [Exhibit 6.]—A. That is the engine being taken aboard.

Q. After salvaging the machinery, where did you proceed to then?—A. We went back to Santa Rosalia.

Q. What was done there, if anything?—A. I don't know; I did not go ashore.

Q. Did the officers of this destroyer go ashore?—A. Yes, sir.

Q. You don't know of your own knowledge what was done?—A. Only what Maj. Bratton told me, that they had demanded those papers they got me to sign, and my personal effects.

Q. Did he get them?—A. He got the paper, but nothing that belonged to me.

Q. Do you know where the paper is now?—A. No, sir.

Q. Did you ever have the paper translated to you?—A. No, sir.

Q. You don't know what its contents were?—A. No, sir.

Q. When did the boat get back to the United States?—A. I think it was on the 21st of October that the boat, at 1 o'clock landed at San Diego.

Q. Were you present during the identification of these bodies?—A. Yes, sir; I helped to dig them up personally myself; nobody would touch them.

Q. I mean after you got back to the United States?—A. No, sir; they were never opened. The caskets were sealed. They were too far gone.

Q. They were in a bad state of decomposition?—A. Yes, sir.

Q. What did you do with the insignias you say you took off the bodies—the wings and the propeller?—A. The Mexicans took them away from me.

Q. Were they ever recovered by Maj. Bratton?—A. No; but they were seen by two American captains I made this statement to.

Q. And they were kept at Santa Rosalia?—A. Yes, sir.

Q. This telegram referred to in your evidence, was that the authority from this Government to proceed with Maj. Bratton?—A. Yes, sir.

The following is a true copy of the telegram referred to:

WASHINGTON, October 11, 1919.

MR. JOE ALLEN RICHARDS,

*Care of Commanding Officer, Nogales, Ariz.:*

Confidential: Secretary of War requests that you report to Maj. R. S. Bratton, Twenty-fifth Infantry, at Rockwell Field, San Diego, Calif., by the 14th instant to accompany expedition to recover bodies concerning which you reported to State Department. Maj. Bratton will explain plan. Please telegraph him when you will arrive.

HARRIS.

A true copy:

FRED L. WALKER [SEAL],

*Lieutenant Colonel, Twenty-fifth Infantry, United States Army.*

Q. Is this also your authority?—A. That is my authority for transportation and subsistence.

The following is a true copy:

HEADQUARTERS NOGALES SUBDISTRICT, ARIZONA DISTRICT.

SPECIAL ORDERS,  
No. 135.

NOGALES, ARIZ.,  
October 12, 1919.

1. Pursuant to authority contained in telegram from The Adjutant General of the Army, Washington, D. C., dated October 11, 1919, Mr. Joe Allen Richards, civilian employee, will proceed from Nogales, Ariz., to Rockwell Field, San Diego, Calif., reporting upon arrival to Maj. R. S. Bratton, Twenty-fifth Infantry, United States Army, that station, not later than October 14, 1919, to accompany expedition to recover bodies of two lost aviators from Lower California, Mexico.

The Quartermaster Corps will furnish the necessary transportation, and in lieu of subsistence Mr. Richards will be allowed a flat per diem in accordance with the provisions of existing Army Regulations for the actual time required for the journey according to the schedules of the common carrier.

The journey is necessary for the public service.

By order of Col. Carnahan,

FRED L. WALKER [SEAL],

*Lieutenant Colonel, Twenty-fifth Infantry, United States Army.*

*Adjutant.*

Q. Do you think of anything else, Mr. Richards, you would like to add to your statement?—A. Only I absolutely know that they are antigringo down in that country; they have no use for an American in the port of Santa Rosalia.

Q. How big a port is Santa Rosalia?—A. It is a pretty good-sized port, mining industries there. I can not state what the population is, as I was never around enough to know.

Q. Has a report of this expedition been made by you to the War Department or anyone else, officially, I mean?—A. Oh, yes; it has been made officially.

Q. Did you make a statement to any one about it?—A. No; but Maj. Bratton did.

Q. Had you heard of the loss of this aeroplane when you took passage on this boat?—A. I had read of it in the paper. I had read where a searching party was going down in that country and try and locate them, afoot and with aeroplanes.

Q. You said you told the master of the port that you were a German subject?—A. Yes, sir.

Q. Where were you born?—A. I was born in Chicago, Ill.

Q. An American citizen?—A. Absolutely. But there were 12 German boats interned there at Santa Rosalia, and the Germans are pretty strong in Mexico down there. A German is treated like a prince. They have got the freedom of the city, and have had it for five years.

Q. Was there any message or notes left by these aviators?—A. Yes, sir.

Q. In what manner did you find them?—A. They were scratched on the side of the aeroplane with a nail. I remember what they were. Mr. Claypool has the copies I had; I let him use them the other night.

Q. What were these?—A. They were two messages to the boys' mothers; I know them by heart; I have read them so much, and the other message gave a description of how they were lost, and how they flew.

Q. You say Mr. Claypool has them?—A. Yes, sir; but I can recite them for you, word for word.

Q. All right; state what they were?—A. The letter of Cecil Connelly to his mother stated:

Find~~er~~ please copy and send to Mrs. N. T. Connelly, 4733 Edgemore Road, San Diego.

DEAREST MOTHER: My time to die is here. God knows it will be welcome enough after our suffering so of hunger and thirst. Try to forget my fate. What I had is yours. Use it for your own comfort and happiness. I tried to live a good life, and I do not fear death. I have slighted you in many ways. I am sorry for it now, but can't make it right this date. Please do not wear mourning for me. Love to you, Dad, Nora, Hazel, and Ethel. God bless you all.  
CECIL.

### Waterhouse's letter was:

Finder copy and send to Mrs. G. M. Waterhouse, A 0 7 W. Main St., Welser, Idaho.

DEAREST MOTHER: We have been here now 10 days. No signs of any help, and our water nearly gone, so I thought I would write a short letter to you, while I had the strength. I don't want you to grieve for me. I want you to have everything, which is not much. All my love to you and Sis and Dad.

Loving son,

F. B. WATERHOUSE.

Now, a description of where they fell; it said:

Flew 4 hours and 5 minutes. Hit rainstorm and got lost. Hit coast in 1 hour and 30 minutes. Turned to our right and flew for 2 hours and 35 minutes. Didn't see any signs of civilization all the way. Saw boat here. Circled it and landed, but it went on. I guess they did not see us. We have no food. Drinking water from the radiator. Tried to catch fish, but after two days gave it up. We have been here five days now, and are pretty weak. We will put marks on left of this sign, for days here. We started walking up the beach for a day and a half. Ran out of water and turned back. Marks for days ////-////-////-////-//.

FRED WATERHOUSE.

There were 17 marks, scratched with a nail.

Q. Did where these bodies were found originally show they had been covered by human agency?—A. Yes, sir.

Q. They had not been covered up by the wind?—A. No, sir; they were strung across each other, in a grave. One man's head facing one way, and the other man's feet the other way.

Q. Was there any mark, cross of any kind, over the grave?—A. Nothing. The coyotes had dug up these skulls. Both heads were loose from the bodies.

Q. Was there anything there that might have been used by the person or persons who buried them to cover their bodies, like a shovel or spade?—A. No; there were lots of turtle shells there, that is about all. There was a bar of iron, about that long, in the grave where they were at.

Q. About how long was that?—A. About 2 feet, and about that thick.

Q. About an inch and a half in diameter?—A. Yes, sir.

Q. Were there any marks on it?—A. No; it looked rusty like.

Q. Was there any money or thing of value on the person of these men, except what you have described?—A. No, sir; none at all. Now, on our way back, coming to the United States with this battleship—previous to that, an American officer went up in the hills and brought a Mexican down out of the hills, watching these mines, and he made a sworn statement, and told them that the Mexican steamer—the Mexican steamer *Esperanza*; it was no steamer, but a fishing scoop, whatever you call them—had picked up these two aviators at Guadalupe Mesa, and had brought them over there for water—brought them to this Port of Angel for water, 20 miles—and he claims that these Mexicans had American money. Where they got it I don't know, but on our way back, anyway, we ran this boat down in the Gulf.

Q. The *Esperanza*?—A. Yes, sir; and tied them right alongside of us. The Mexican judge, and Maj Bratton, and a few more men went aboard. It was right down below me, and I stood there and heard everything that was said; and this Mexican judge had their deposition taken and let them go. We found the altitude clock, the compass, and chairs of the aeroplane aboard this boat.

Q. The *Esperanza*?—A. Yes, sir, and these Mexicans were shivering to beat the band. They were scared, the sailors were. They were pretty nearly scared to death, but the captain of this *Esperanza* told the judge, this Mexican judge, that another Mexican had given him this stuff to keep for him.

Q. Was that the *Esperanza* that the Mexican caretaker of the mine had described?—A. Yes, sir.

Q. Did he give you the name of the boat?—A. Yes, sir.

Q. Did the Mexican caretaker purport to know anything about how these men met their death?—A. No, sir; he said he did not know anything about it; he was just an innocent onlooker of what happened. He claimed they were murdered; he said he was an innocent bystander, though; he would not say any more.

Q. How many men constituted the crew of the *Esperanza*?—A. There were three on it when we ran it down.

Q. Where was the *Esperanza* from?—A. Santa Rosalia.

Q. Did Maj. Bratton take the altitude clock, the seats, and the compass?—A. Yes, sir.

Q. Do you know whether Maj. Bratton got copies of the depositions.—A. I don't think he did.

Q. So far as you know has the crew of the *Esperanza* ever been apprehended?—A. No, sir; not so far as I know.

Q. The location of these graves, or this grave, is in what State or Territory of the Republic of Mexico.—A. It is in the upper end of Lower California, in the Cantu district.

Q. You mean that portion of Lower California controlled by Gov. Cantu?—A. Yes, sir.

Q. Of your knowledge has any representations ever been made to Gov. Cantu?—A. None that I know of.

Q. Now, have you related all the facts of this expedition?—A. Yes, sir; all that I think of.

Q. What is your permanent address?—A. Where will I be?

Q. Yes?—A. Chicago, after I get well. I am here right now sick for about 10 days. When I get cured up I am going home. I am living at the Sheldon Hotel here.

Q. I mean in Chicago?—A. No. 2951 Calumet Avenue, but you can get me more direct—they always know in case I am working—Switchmen's Union No. 2, Kansas City.



1971

# **INVESTIGATION OF MEXICAN AFFAIRS**

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## **HEARING**

**BEFORE A**

## **SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE**

**SIXTY-SIXTH CONGRESS.**

**SECOND SESSION**

**PURSUANT TO**

## **S. Res. 106**

**DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO  
INVESTIGATE THE MATTER OF OUTRAGES ON CITIZENS  
OF THE UNITED STATES IN MEXICO**

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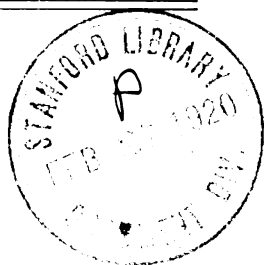
## **PART 8**

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# INVESTIGATION OF MEXICAN AFFAIRS.

WEDNESDAY, JANUARY 14, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE OF COMMITTEE ON FOREIGN RELATIONS,  
*San Antonio, Tex.*

The subcommittee met pursuant to the call of the chairman at 10.30 a. m. in the Pink Room of the Gunter Hotel, in San Antonio, Tex., Senator Albert B. Fall presiding.

Present: Senators Fall (chairman) and Smith.

## TESTIMONY OF GEORGE E. BLALOCK.

(Witness was duly sworn by the chairman.)

The CHAIRMAN. Where do you live, Mr. Blalock?

Mr. BLALOCK. I live in San Antonio, 1101 East Commerce Street, San Antonio.

The CHAIRMAN. How long have you lived here.

Mr. BLALOCK. Since about two years.

The CHAIRMAN. Are you an American citizen native born?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. You say you have been here about two years?

Mr. BLALOCK. Yes, sir; a little more than two years, two years last November.

The CHAIRMAN. Where were you born?

Mr. BLALOCK. At Barnsville, Ga.

The CHAIRMAN. Where did you live before coming here?

Mr. BLALOCK. I lived in Mexico.

The CHAIRMAN. Where did you go from to Mexico?

Mr. BLALOCK. Mangum, Okla.

The CHAIRMAN. In what year?

Mr. BLALOCK. I left there myself in 1902.

The CHAIRMAN. And went to Mexico?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. What was your business in Mexico?

Mr. BLALOCK. To look at and buy a location for a colony.

The CHAIRMAN. How did you go into Mexico?

Mr. BLALOCK. I went by way of El Paso; I entered Mexico at El Paso, Tex.

The CHAIRMAN. Did you have any definite purpose at that time in going to Mexico?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. What was that purpose?

Mr. BLALOCK. It was to look up and buy a ranch, a location for a colony.

The CHAIRMAN. For a colony?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. How many people were presumed to constitute that colony?

Mr. BLALOCK. Fifty-five families.

The CHAIRMAN. Fifty-five families?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. Did you have negotiations with or introductions to any of the Mexican authorities before entering Mexico?

Mr. BLALOCK. At El Paso I met the consul, the Mexican consul.

The CHAIRMAN. What was his name, if you remember?

Mr. BLALOCK. I do not remember.

The CHAIRMAN. Was it Mallen at that time?

Mr. BLALOCK. I don't believe I could recall the name. I don't think so.

The CHAIRMAN. 1902?

Mr. BLALOCK. Sir?

The CHAIRMAN. 1902?

Mr. BLALOCK. Yes, sir; it was 1902.

The CHAIRMAN. How did you happen to meet him?

Mr. BLALOCK. Mr. Garrett—Pat Garrett carried me to him.

The CHAIRMAN. Patrick F. Garrett?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. At that time sheriff of Dona Ana County, N. Mex.?

Mr. BLALOCK. No, sir; I think he was collector of customs at that time.

The CHAIRMAN. I mean shortly prior to that time he had been sheriff?

Mr. BLALOCK. Yes, sir; I think so.

The CHAIRMAN. He introduced you to the consul?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. Well, where did you go then?

Mr. BLALOCK. Well, I went to a great many different States in Mexico; I traveled over—I put in eight months traveling, looking around.

The CHAIRMAN. Did you finally locate?

Mr. BLALOCK. Yes, sir; I located 80 miles northwest of Tampico, in the State of Tamaulipas.

The CHAIRMAN. Mexico?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. And that was in 1902 or 1903?

Mr. BLALOCK. I bought the property in 1902.

The CHAIRMAN. Did you have any difficulty or any trouble in your investigations in Mexico?

Mr. BLALOCK. Yes, sir; I frequently ran up against things that were, of course, unusual; I was arrested several times, but I had a letter from this consul at El Paso, that on showing that letter I was always immediately released and apologized to.

The CHAIRMAN. Were you—you say you were arrested. Were you simply held up?

Mr. BLALOCK. Just held up.

The CHAIRMAN. Or were you put in jail?

Mr. BLALOCK. For instance, once I was held up for passing through a town without calling on the mayor, or jefe.

The CHAIRMAN. Yes. You finally located in the State of Tamaulipas?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. Did you acquire any land holdings there for yourself or for the colony?

Mr. BLALOCK. Yes, sir. We bought a ranch known as the Chemal Ranch, a body of land that is about 13 miles wide and 45 miles long.

The CHAIRMAN. Did you buy that from—

Mr. BLALOCK. 314,000 acres.

The CHAIRMAN. Whom did you buy it from?

Mr. BLALOCK. From the bank. What is the Bank of Agriculture—Hipotecario.

The CHAIRMAN. The Bank of Hipotecario?

Mr. BLALOCK. In Mexico City.

The CHAIRMAN. That is land mortgage bank. Well, what did you do with it, toward developing it, if anything?

Mr. BLALOCK. Why, in 1903—the 1st of March, 1903, I got there with my colony of 55 families, the first 55. However, the colony had increased to something near 100, and I got concessions and carried in every—almost everything that was absolutely necessary, free of duty.

The CHAIRMAN. Yes?

Mr. BLALOCK. And I had to guarantee the location of 100 families within two years, which we did, and got—we put up a forfeit to guarantee that, and we showed the 100 families and got our forfeit then—

The CHAIRMAN. What was the amount of the forfeit?

Mr. BLALOCK. Fifteen hundred dollars.

The CHAIRMAN. In what form was it put up?

Mr. BLALOCK. Cash.

The CHAIRMAN. To whom was it put up?

Mr. BLALOCK. Well—

The CHAIRMAN. To the Mexican authorities?

Mr. BLALOCK. Yes, sir; on the other side—yes, sir—to the Mexican authorities; but I don't just remember the—

The CHAIRMAN. But you had to make a deposit to show your good faith and to secure the Mexican Government in the performance of your contract as to colonization before you could get exemption of duties?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. Upon the products which you carried?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. That was the ordinary Mexican custom at that time?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. And you were accompanied by 100 families there?

Mr. BLALOCK. We had 55 with the first division.

The CHAIRMAN. Yes; have you the names of those families?

Mr. BLALOCK. No, sir.

The CHAIRMAN. Or any of them?

Mr. BLALOCK. Why, at the time that the—of the first 55 I knew every man personally; of course, I could by just thinking a while—I could name almost every one of them now.

The CHAIRMAN. Well, could you prepare for us—

Mr. BLALOCK. But my memory is very poor.

The CHAIRMAN. Could you prepare for us a list as far as you can recall them?

Mr. BLALOCK. Yes, sir; with some time—you would have to give me some time, though.

The CHAIRMAN. Yes.

Mr. BLALOCK. I might do better by conferring with my family, my wife; she would remember those names quicker than I would; my memory is very faulty.

The CHAIRMAN. If you will be kind enough, we would be glad to have you prepare a list as completely as possible and file it with the secretary here and the reporters.

Mr. BLALOCK. Yes, sir; I will do so.

The CHAIRMAN. How did you proceed to work or to develop the properties; that is, how did you divide up the lands, etc.?

Mr. BLALOCK. We were all from Oklahoma and had undergone the Oklahoma rule of division, and so on; we surveyed one valley, we had one valley that was 8 miles wide and 24 miles long, and we surveyed that off into sections and quarter sections.

The CHAIRMAN. Following the United States land laws in the division?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. 160 up to 640 acres?

Mr. BLALOCK. Yes, sir. We then drew for that land.

The CHAIRMAN. For choice?

Mr. BLALOCK. We drew according to stock. Our stockholders ran from \$500 to \$2,000, and of course the man with \$2,000 got four times as much as the man with \$500, and drew for it, you know.

The CHAIRMAN. He got four times as much of this land; you say?

Mr. BLALOCK. Yes, sir; of this division and all the entire ranch.

The CHAIRMAN. The interests, then, of the colonists, their several interests, were measured by their stock interest in the company?

Mr. BLALOCK. Yes, sir. And I also want to add right now that we set aside part of that land, the surveyed land, for a school, which we still—

The CHAIRMAN. How much was that?

Mr. BLALOCK. I couldn't tell you right now, I have forgotten: but we built a read good two-story schoolhouse, a stone building, and furnished it with furniture bought in San Antonio, we had everything almost that you could find in any school here in San Antonio in that house when we left there.

The CHAIRMAN. How did you go into Mexico with your colony?

Mr. BLALOCK. Came through San Antonio, stopped here a day and night, exchanged our money right here in San Antonio. I remember very well we got \$2.66 for each dollar of American money.

The CHAIRMAN. Well, you say you built a schoolhouse?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. Did the colonists build residences?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. Each family for themselves?

Mr. BLALOCK. Yes, sir; that was the rule with each—that a man, when he bought a piece of land there, if he was one of the original colony, he was to get into his own house as soon as possible. However, when we went there this ranch was very well improved; there were a great many houses; there were 325 Mexican families on the ranch, and there were 13—no, 16—different ranches on the place, and in drawing for this land the Americans were scattered completely over this valley, and many of them drew good farms and houses with them.

The CHAIRMAN. There was room enough or housing enough for all the colony until they could build good houses?

Mr. BLALOCK. Until they could build; yes, sir.

The CHAIRMAN. I see. What became of the Mexican families who were on the ranch?

Mr. BLALOCK. They remained—part of them remained right there.

The CHAIRMAN. In what capacity did they remain?

Mr. BLALOCK. Well, as laborers, tenants and laborers.

The CHAIRMAN. What were those Mexicans getting—receiving for their work or labor—when you went there?

Mr. BLALOCK. Twenty-five centavos per day.

The CHAIRMAN. What did you pay them—your colonists?

Mr. BLALOCK. Why, soon after our arrival we held a meeting—colony meeting—and took that matter up and decided to pay them fifty—double their wages—and they have never gotten less.

The CHAIRMAN. What was the extent of your colony later; did it increase or decrease?

Mr. BLALOCK. Yes, sir; it increased. We had—when the Madero revolution was a year old—we had 92 families in the colony. When the general exodus took place we had 110 children in school and—I don't remember the number of families then; however, when the Madero revolution started, why, our people, some of them began to get cold-footed, you know, and began to leave, and it had come down to, I think, probably 60 families when the general exodus took place.

The CHAIRMAN. What do you mean by "the general exodus"?

Mr. BLALOCK. Well, after Carranza, some time after he had been recognized by the United States, we were notified by our consul at Tampico, Mr. Miller—Clarence Miller—to come into Tampico at once, and the people were very much excited and immediately went to Tampico. We called that a general exodus; every man, every woman and child left the ranch. I think 11 men stayed with me, and we stayed there; did not leave.

The CHAIRMAN. The other families, and particularly the women and children, went into Tampico?

Mr. BLALOCK. Yes, sir; all went to Tampico—and a great many of the men.

The CHAIRMAN. About what was the date of that; do you remember—1912 or 1914?

Mr. BLALOCK. 1914.

The CHAIRMAN. 1914?

Mr. BLALOCK. The 5th of September.

The CHAIRMAN. Yes; that was about the time that the United States forces took Vera Cruz?



Mr. BLALOCK. Yes, sir; I think that was.

The CHAIRMAN. And you came out under instructions from the American consul?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. How long did the 11 men remain there with you?

Mr. BLALOCK. Part of them are still there.

The CHAIRMAN. Some of them are still there?

Mr. BLALOCK. Yes, sir.

Senator SMITH. Are they living or dead?

The CHAIRMAN. Senator Smith asks you if they are living or dead.

Mr. BLALOCK. Oh, they are alive.

The CHAIRMAN. What were your instructions by or through the American consul with respect to resisting any attack, if any was made upon you?

Mr. BLALOCK. When they first began to raid us I went to Tampico to see Mr. Miller, and we had been having to give up our good work stock and saddle horses and anything else—

The CHAIRMAN. Give up to whom?

Mr. BLALOCK. To the Carrancistas—we called them Carrancistas—the soldiery of the recognized Government at the time. We have never had, I will say, Senator, we have never had but very little trouble from bandits at our ranch—very little.

The CHAIRMAN. Well, whom do you call “bandits”?

Mr. BLALOCK. Well, those people who are opposing Carranza.

The CHAIRMAN. Yes.

Mr. BLALOCK. I went to Mr. Miller and asked him if we wouldn't be allowed to protect ourselves and not let those people take our stuff. He said, “No, Blalock; I am very sorry to tell you that I am instructed that you people—to advise you people that this country is under martial law, and that you must not resist the recognized Government. If they come and want your stuff, you just have to give it up.” And we acted on that.

The CHAIRMAN. Now, you say you went to Mr. Miller?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. How did you happen to go to Mr. Miller?

Mr. BLALOCK. Well, for a number of years I was president of the colony—I was elected president of the colony when we organized it—and I kind of took the lead.

The CHAIRMAN. Naturally you would.

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. You went there as a representative for the colony?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. As well as the representative of yourself?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. What has become of the ranch?

Mr. BLALOCK. Well, the land is still there.

The CHAIRMAN. That is good.

Mr. BLALOCK. Yes, sir; I am certain of it. I have a letter from there every week, Senator, and our farmers—we had large farms—some of our people had 150 acres in cultivation; and if any of you men have been in Mexico you know what it takes to make a farm of 150 acres—to hew it out of those jungles.

The CHAIRMAN. Well, now, just describe some of the work that you did that was required to make that farm.

Mr. BLALOCK. Well, it cost me—I put in 75 acres—it cost me between five and six dollars gold to clear that land.

The CHAIRMAN. What is the growth on them—

Mr. BLALOCK. And I paid 50 cents a day or 25 cents a day for the labor.

The CHAIRMAN. Twenty-five cents gold, 50 cents Mexican money?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. And that was double the wages that the Mexicans had been getting prior to that?

Mr. BLALOCK. Yes, sir. And I want to say to you right here now, Senator, that our neighbors they were very much angry at us for raising the price of labor.

The CHAIRMAN. Now, what neighbors?

Mr. BLALOCK. The Mexicans; the people, you know, that owned these ranches surrounding us.

The CHAIRMAN. Yes.

Mr. BLALOCK. And they frequently came and tried to get me to put the wages back and said it would not do, and the people would not be friendly to us, and so on, you know.

The CHAIRMAN. Well, now, after this general exodus that you speak of did any of the colonists or their families return?

Mr. BLALOCK. Yes, sir; they gradually began to drop back there, one or two or three at a time, families, you know, getting back there and occupying their homes, until we had 34 families when the second exodus took place.

The CHAIRMAN. About when was that—how long after the first?

Mr. BLALOCK. I think it was in 1918—no; in 1916.

The CHAIRMAN. Why did you get out at that time?

Mr. BLALOCK. Why, an officer, a Carranza officer by the name of Morelos, and Rodrigues Flores came there with about 150 men and notified us that they had instructions to kill all the men and take our property because we had not gotten out.

The CHAIRMAN. Well, who was this officer; was he an officer?

Mr. BLALOCK. Yes, sir; he was an officer; he was in charge of the men; and then we knew him—knew of him—he was a major.

The CHAIRMAN. A major?

Mr. BLALOCK. Maj. Rodrigues Flores.

The CHAIRMAN. Do you know under whose Government, or supposed Government, he was?

Mr. BLALOCK. Nafarrate.

The CHAIRMAN. Nafarrate?

Mr. BLALOCK. Yes, sir; so he told us.

The CHAIRMAN. Nafarrate was general in command of the—

Mr. BLALOCK. At Tampico.

The CHAIRMAN. At Tampico? Well, now, whom did Nafarrate represent; do you know?

Mr. BLALOCK. Carranza.

The CHAIRMAN. Carranza?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. And this major came there with 100 or 150 men and told you to get out?

Mr. BLALOCK. Yes, sir; he didn't tell us to get out; he said he came to kill us. Now, I wish to describe the day and the way that he got there with his men.

The CHAIRMAN. Just go right ahead, in your own language.

Mr. BLALOCK. Well, it was on Sunday—and we have our little town there, post office and the telegraph office, and so on—

The CHAIRMAN. Did you have a church?

Mr. BLALOCK. Yes, sir; we had a church. And the people from the little ranches around, nearly everybody, went to town. I didn't; I happened not to go in. And the first thing they knew the town was surrounded, and they caught everybody—caught all the visitors and the people that lived in the town besides; they put the men all under guard, and immediately the soldiers began sacking the houses—and cloth is pretty scarce in Mexico, and they would take bedticks, beds, feather beds, and empty the feathers out in the street and in the yards, and just take the ticking for the cloth; and mattresses and pillows, and everything of the kind; they took all of our blankets and nearly everything that there was that was loose, and gathers all that up—the soldiery did—while the men were under guard. They finally took 21 of our men up, as they told them, to be shot; and when they were first stood up, they sent a man—after they were stood up to be shot, they sent—this Morelos was in charge at the time, there present—and he had a man go through those men, go around and take everything they had—their knives, tobacco, money, watches, and everything else they might have; then a man came rushing up with a large official envelope in his hand and handed it to the commanding officer; he asked them if we had anyone who could read Spanish; we did have several that could, you know, and we sent a man up and he read it, and he said that there was instructions from Nafarrate not to kill the men, but that they must leave. Well, they left about 8 o'clock in the morning, and by 9 o'clock our people commenced to flee to the mountains—we have a mountain district that is almost inaccessible, and all the women and children went there immediately—up into the mountain and stayed there for two months.

The CHAIRMAN. Did you have arms?

Mr. BLALOCK. Oh, yes; we had arms; yes, sir.

The CHAIRMAN. What were you going to do with them?

Mr. BLALOCK. Well, I guess that we would have protected our homes; that is, we would have protected our women and children: yes, sir.

The CHAIRMAN. You deserted your homes?

Mr. BLALOCK. Oh, yes; we deserted our homes, and sent our women and children up into the mountains, and nearly all the men went—just a few men remained down in the valley, myself, and a few others, as a kind of guard defense, and we would send grub up to them, provisions and other things up into the mountains to them, you know, and they would come down for those things, too.

The CHAIRMAN. Well, what became of the property left behind?

Mr. BLALOCK. Well, the household goods and such things were just taken.

The CHAIRMAN. What about your stock, live stock and all, if any?

Mr. BLALOCK. Why, one bunch took 175 head of our best horses and mules.

The CHAIRMAN. How far were you from the railroad?

Mr. BLALOCK. Forty miles.

The CHAIRMAN. Forty miles.

Mr. BLALOCK. Yes, sir; and I would like to tell you now how they got a good many of those mules and horses.

The CHAIRMAN. All right, go right ahead.

Mr. BLALOCK. It was out in the country, they would hold a man—somebody told on us, of course, they knew just how many mules and how many horses and other stuff we all had—that the Americans had—and they would hold a man and send out to his ranch for five mules or four mules.

The CHAIRMAN. How do you mean hold him, hold him under guard?

Mr. BLALOCK. Yes, sir; he was under guard, he was of that 21 bunch.

The CHAIRMAN. Oh, yes.

Mr. BLALOCK. And they wouldn't come back until they would get them, they would make our peons that we kept there, our servants or hands——

The CHAIRMAN. Employees?

Mr. BLALOCK. Employees; they would make them hunt those mules up, go out in the woods and hunt them up; we kept everything away from our place, wouldn't keep stock around the place because they were taking them constantly; and these men were held and not released until a certain number of animals would be brought in.

The CHAIRMAN. I want to ask you a personal question, Mr. Blalock?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. How much money did you have when you went there?

Mr. BLALOCK. I and my son had \$4,000 of stock in the colony, and we had some money besides.

The CHAIRMAN. About how much?

Mr. BLALOCK. I suppose about a couple of thousand dollars.

The CHAIRMAN. Were you the representative of any corporation?

Mr. BLALOCK. No, sir.

The CHAIRMAN. Were you representing an oil company?

Mr. BLALOCK. No, sir.

The CHAIRMAN. Did you go there backed by any American capital?

Mr. BLALOCK. No, sir.

The CHAIRMAN. It was an organization of your own people?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. Each family putting in what they could?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. To acquire a home?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. They were there to make a home in Mexico?

Mr. BLALOCK. Yes, sir. Many of the people had never owned a home, Senator—many of them had never owned a home, had been tenants all their lives.

The CHAIRMAN. Did you interfere—did you or any of your colonists interfere in any way with the Mexican authorities?

Mr. BLALOCK. How?

The CHAIRMAN. Did you take any interests in Mexican politics?

Mr. BLALOCK. None whatever; no, sir—none whatever.

The CHAIRMAN. How did you learn about any revolutionary conditions there?

Mr. BLALOCK. Well, we just learned it through the American papers; if we hadn't read the papers we wouldn't have known—that is, now, during the Madero—

The CHAIRMAN. Yes?

Mr. BLALOCK. We wouldn't have known there was a revolution in the country.

The CHAIRMAN. Would you have known about the Carranza revolution?

Mr. BLALOCK. Yes, sir; mighty quick.

The CHAIRMAN. How?

Mr. BLALOCK. Because the soldiers began visiting us. Senator, I will have to be excused a moment.

The CHAIRMAN. All right, you can be excused.

(The witness retired and shortly returned.)

The CHAIRMAN. Senator Smith, will you conduct the further investigation?

Senator SMITH. Mr. Blalock, I understand from your testimony thus far that you had formed a community colony of people going out to make homes in Mexico?

Mr. BLALOCK. Yes, sir.

Senator SMITH. Were they people well to do, or were they poor people as a class?

Mr. BLALOCK. They were poor people, Senator; as I stated, many of them never had owned their homes.

Senator SMITH. What did you do after you got to Mexico and acquired the land; what did you do toward the development of these homes?

Mr. BLALOCK. We immediately went to clearing the land and preparing the fields to make farms.

Senator SMITH. How long did you continue there?

Mr. BLALOCK. Just as long as we were permitted to stay there.

Senator SMITH. Just as long as you were permitted to stay there?

Mr. BLALOCK. Just as long as we were permitted to stay there.

Senator SMITH. Well, what, if anything, was done by you or any member of the colony, as far as you know, inimical in any way to the interests of the Mexican Government?

Mr. BLALOCK. Well, if we did anything, why, we didn't know it, because we knew that we were in a foreign country and a strange country and we did our very best not to violate any of the laws.

Senator SMITH. And you maintained that attitude until you were absolutely driven out of the country?

Mr. BLALOCK. Yes, sir.

Senator SMITH. Do you know of any other community, by reputation or otherwise, that were likewise treated, with American citizens, in Mexico?

Mr. BLALOCK. Well, yes.

Senator SMITH. I mean, for my own information, what other colonies?

Mr. BLALOCK. The Atascador.

Senator SMITH. Where was that?

Mr. BLALOCK. That was 75 miles south of Chemal colony—Blalock colony.

Senator SMITH. How many were represented to be in that colony, do you know?

Mr. BLALOCK. I think there were only about 35 families, I think, all told, about 35 families, that is my recollection.

Senator SMITH. Do you know whether they are all there now or not, or any of them, or whether they have all been driven out?

Mr. BLALOCK. When I was there last there was just a few men there; I ranched on that colony some time; and we, four of us, moved a thousand steers down there, and I was there with the cattle; I stayed there with the cattle about a year, and knew all these people well.

Senator SMITH. Did any of your colonists, your neighbors, or those who were associated with you, did any of them lose their lives down there?

Mr. BLALOCK. Yes, sir.

Senator SMITH. How many?

Mr. BLALOCK. Five.

Senator SMITH. Five?

Mr. BLALOCK. Yes, sir.

Senator SMITH. Did you know personally the circumstances attending the killing?

Mr. BLALOCK. Yes, sir; so far as I might know—

Senator SMITH. From investigation?

Mr. BLALOCK. For instance, we found W. L. Randle, we found him in his well. He lived alone on his ranch, and he wasn't seen for several days, and on some inquiry being made we went to his ranch, and couldn't see anything of him, and in looking around we discovered something in the well, and on investigation found it was Mr. Randle.

Senator SMITH. How did you know, or did you have any idea, or have any knowledge of who killed him?

Mr. BLALOCK. Yes, sir. Immediately I and Mr. Medlin, one of the colonists, went to Victoria, to the governor, and reported the matter to him and asked him if it wasn't possible to give us protection. He asked us to come back the next morning—he said he would, positively that he would—he asked us to come back the next morning, and he reported that he had already sent officials from Xicotencatl—that is the biggest town between us and the station, our station; quite a town, and they have district court there—that he had ordered this district judge to go immediately on the ground and to arrest these people; that I reported the next morning—we had missed our train, had to lay over until next day, and when we got home they had our people, had the men who had done the killing; these men immediately went out—that is, the next morning after our arrival at Victoria these men, the court, had taken his officers and went immediately over there, and just before I arrived at my ranch I met him with the three criminals that had done the killing, bringing them—going back to his court, and he says, "We have them."

Senator SMITH. Do you personally know what was done with those prisoners?

Mr. BLALOCK. Yes, sir.

Senator SMITH. What?

Mr. BLALOCK. Yes, sir.

Senator SMITH. What was done with them?

Mr. BLALOCK. I was notified that they had been—I will say this first now, this judge, he was called a very bad man by the Mexicans, and he straightened things around in that country to a considerable extent; he notified me, wrote me that these men had been convicted and sent to Victoria; however, they convicted them and gave them a life sentence; soon afterwards the wife of one of the men told me that her husband was a soldier, and later on we learned that all three had been turned loose to join the army. Later on they came back to the colony and were there when I left it—I frequently saw them, I suppose they are all—

Senator SMITH. Now, that is one of the deaths. How about the others?

Mr. BLALOCK. That was Mr. Randle.

Senator SMITH. Yes. How about the others?

Mr. BLALOCK. Mr. Pilgrim was killed about three years ago and we had the very best circumstantial evidence as to who killed him; he was shot in the back on his own ranch inside of his own inclosure, in his pasture, and the coroner—we reported, of course, everything to the coroner when he came to sit on the body, and he in turn examined several different witnesses; and the witnesses we wanted to put in—the date was Saturday when we were to be there and we had sent those witnesses with an American—I didn't know him, but we sent them, and when they arrived—when the witnesses arrived on the date they wished them to be in Ocampo, and he said the military had charge of the case—had taken it out of the hands of the civil authorities, and the military—the officer, I have his name at home, I haven't it here but I have it at home, that was then in charge of the town—

Senator SMITH. Who were these witnesses?

Mr. BLALOCK. The witnesses were two Mexican women, they were our main witnesses—two Mexican women, one of them was a very beautiful woman, a young woman and a beautiful woman, the other was passable. Immediately those men began to make advances to those witnesses; the officer—the judge, soon afterwards invited them to go into an adjoining room; they refused and that passed off one day without anything at all being done. The next day they were ordered in at 10 o'clock and appeared, and during the time this major, he was trying to get those women to go into a private room with him, he grabbed this younger woman and tried to carry her into this room, and she bit him and made him turn her loose, bit the blood out of him and he turned her loose, and the American that had went there with them, that had carried the women there, he felt more or less responsible for them, of course, he jumped up—he didn't make any demonstration at all—he jumped up and pleaded with the officer not to do that, he pulled his revolver and it—and we call it snapped the cartridge, failed to explode; well, he fell under the table and the people ran out of the court room—it was right on the sidewalk—and some one notified our judge, the man that had held the inquest, he happened to be near, he ran in and implored the man not to shoot the gringo, and finally got him to agree not to kill him—

but he was under the table, and several times he was ordered out and ordered not to leave the town; and he stayed there four days, kept those women there four days without ever asking a question about the murder or anything about taking the case up at all.

Senator SMITH. Whatever became of the case?

Mr. BLALOCK. The case?

Senator SMITH. Yes, sir.

Mr. BLALOCK. It is just like we left it—they finally—our judge finally prevailed upon this man to allow the people to go home; they went home and there allowed to stay. That was the case of J. D. Pilgrim; we feel, Senator, that was the worst thing that ever happened in our colony, it hurt our people worse.

Senator SMITH. Yes. About those other deaths?

Mr. BLALOCK. Mr. Gorman was killed a year ago—more than a year ago—he was killed in 1918; yes.

Senator SMITH. Who was that?

Mr. BLALOCK. Frank Gorman—F. P. Gorman; and the time that Mr. Gorman was killed they had got up quite a little bit of talk, you know, about the United States doing something—I think maybe the Fall senatorial committee got into existence, or something, and it seems that these people down there got very much excited; the commander at Tampico sent out this word, because we got it from our friends down there—he said to catch those people that killed the man Gorman, try them and shoot them. They were caught immediately—they were civilians right there, were people on the place, and during this time, during this investigation now, it developed that one of these men had choked one of the men, I haven't told you about, a man by the name of Bob Penix, we found him dead, no marks on him. we couldn't tell anything about it, and it developed in this case—in this trial, that one of these men, Constancio Colocho, had choked this man to death, had killed him—they were drinking at the time, and I don't know why—he was the leader of the three that killed Gorman—they were found guilty and ordered to be shot, and I was expecting to get a letter every week from there that they had been shot, you know, and I finally got the letter stating that they had been released to join the Army; the man's wife writes me—Mr. Gorman's wife writes me that they are all three back there—have quit the Army, of course—deserted, I suppose—and are back on the ranch.

Senator SMITH. How about the case of Mr. Byrd, was Mr. Byrd killed?

Mr. BLALOCK. Mr. Byrd was killed on the Atascador ranch.

Senator SMITH. Do you know personally about his death?

Mr. BLALOCK. No, sir; I do not; it is only hearsay. I came very near knowing personally about the Gourd incident they had on the Atascador. I was there with Mr. Kennard, within a mile or two of Mr. Gourd's ranch when that happened, the night that it happened.

Senator SMITH. Tell us about it?

Mr. BLALOCK. As Mr. Gourd related, and as the girl related, there were three men rode up to Mr. Gourd's residence after nightfall and asked for a match to light their cigarettes; Mr. Gourd walked out to give them the match and gave them the match; as they turned to walk back, they roped him, threw a lasso on him and jerked him down and tied him, and went in—and the girls say they don't have



any idea of how many times they were raped. The news next morning spread out over the country; it was on my ranch or property by sun-up; a man passed by and told me about it, and we did all we could. We sent people right into Tampico, sent those girls with the old gentleman; Mr. Miller took charge of the people, the American consul; the Americans made up a sum of money—I don't remember, but it seems to me five hundred or seven hundred dollars—and then afterwards they captured those people, those three men, we were notified—I was still with my cattle on the Atascador—we were notified that those men had been tried, I think it was seven months after the offense had been committed, we were notified that they had been found guilty and were being sent to San Luis Potosi to be shot. I suppose it is 25 miles, I guess, from Rodriguez, the nearest station, to San Luis; well, we protested, you know, but, of course, that didn't do any good—why not shoot them there, or send them over to the Gourd place and shoot them there where they committed the crime? But they sent them to San Luis Potosi—I don't know—that is all I know; I do know that they were carried off, because a friend saw them when they were put on board the train in the custody of officers and sent to San Luis Potosi. We never could imagine why they would send them clear up there to shoot them, you know; we don't know, of course, it was stated they were shot.

Senator SMITH. What was the name of that colony that Mr. Gourd belonged to?

Mr. BLALOCK. The Atascador.

Senator SMITH. What is yours?

Mr. BLALOCK. The Blalock-Mexico colony.

Senator SMITH. That is yours?

Mr. BLALOCK. Yes, sir. But this Gourd incident was on the Atascador, and I happened to be right there.

Senator SMITH. Well, all your crops and all the accumulations and improvements that you had at this colony of yours—live stock and all—were dissipated, were gone?

Mr. BLALOCK. Yes, sir. We have sold a good many head of cattle. A few years back we had 800 head of cattle, and I have a pretty close record of what I have sold. I sold out of that 800 head, sold about 300; I carried to the Atascador 320 head; I got 60 head; they taken the rest. They taken from the Atascador at one time 62 of our steers and brought them to Matamoros, across the river. One of our neighbors, one of our colonists, saw them as they brought them across the river; that was Carranza's government—gave them 500; they refused to gather them, and they brought them into our corral and then made two of the boys cross them; that was from the Atascador, though; that was cattle we carried down there to put on that new range.

Senator SMITH. How many of those homes that were established in your colony—how many of the homes are left there with people living in them?

Mr. BLALOCK. There is just one.

Senator SMITH. One?

Mr. BLALOCK. Mr. Kennard, the German, has been there with his wife all the time.

Senator SMITH. They are living there still?

Mr. BLALOCK. Still there; I heard from them last week, and they are still there and have a fine crop.

Senator SMITH. Are they interfered with at all?

Mr. BLALOCK. Why, Senator, yes; but so little it don't amount to anything. To give you an idea, now, when I left the colony two years ago he had a very nice little stock, what we call in that country a commissary—which is a country store—and all of our stores have been broken down, broken into long ago and everything gone, and when I left there we didn't ride the road at all going from one point to another; we always went through the woods for fear of meeting somebody that would dismount us, you know. But it seems he was not molested; there is no doubt about that, he was not molested like the rest of us, and he is still there.

Senator SMITH. What is his name?

Mr. BLALOCK. Kennard.

Senator SMITH. Kennard?

Mr. BLALOCK. Yes, sir. I don't know, don't remember his initials; I have forgotten.

Senator SMITH. You have named three men that were killed. What was the name of the other colonist there?

Mr. BLALOCK. Why, I knew three or four men that were killed at the Colonia.

Senator SMITH. Of your own colony?

Mr. BLALOCK. Of mine; yes, sir. I understood you said other colonies.

Senator SMITH. Of your own colony.

Mr. BLALOCK. Of mine; yes, sir. Mr. McCuistian was the first one; we have no idea of who killed him; he was shot in bed. Bob Penix was the next. J. R. Randle was the next one. Pilgrim was the next one, and Frank Gourd was the last one.

Senator SMITH. All of whom you have named?

Mr. BLALOCK. Yes, sir.

The CHAIRMAN. That is all. We are much obliged to you, Mr. Blalock.

(Thereupon, at 11.45 a. m., the committee recessed until 2 o'clock p. m. of the same day.)

AFTER RECESS.

(2.45 o'clock p. m.)

### TESTIMONY OF JAMES J. BRITT.

(The witness was sworn by Dan M. Jackson, Esq., duly authorized thereto by the subcommittee.)

The CHAIRMAN. Mr. Britt, state your name and age.

Mr. BRITT. James J. Britt, 36 years of age.

The CHAIRMAN. Citizen?

Mr. BRITT. American.

The CHAIRMAN. Native born?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Where do you live?

Mr. BRITT. Tampico.

The CHAIRMAN. How long have you lived in Tampico?

Mr. BRITT. Off and on since 1913.

The CHAIRMAN. What do you do there?

Mr. BRITT. Attorney.

The CHAIRMAN. Practicing attorney?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Whom are you representing, if anyone?

Mr. BRITT. I represented the Mid-Co Co. at one time, and now I am for myself.

The CHAIRMAN. What you say of Tampico, of course you mean Tampico, Mexico?

Mr. BRITT. Mexico; yes, sir.

The CHAIRMAN. When did you go to Tampico?

Mr. BRITT. I went down there in August.

The CHAIRMAN. Of what year?

Mr. BRITT. In 1919.

The CHAIRMAN. That is recently?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Where were you before that?

Mr. BRITT. In France.

The CHAIRMAN. What were you doing in France?

Mr. BRITT. I was in the Tank Corps.

The CHAIRMAN. Tank Corps—what Tank Corps; what do you mean by it? Explain it.

Mr. BRITT. United States Tank Corps, Battalion 326, reorganized 344.

The CHAIRMAN. You were in the United States service during the last war with Germany?

Mr. BRITT. Yes, sir.

The CHAIRMAN. And was in the American Tank Corps in France during that time?

Mr. BRITT. Yes, sir.

The CHAIRMAN. When were you mustered out?

Mr. BRITT. I was mustered out in March, 1919.

The CHAIRMAN. And upon being mustered out you removed shortly afterwards to Tampico?

Mr. BRITT. I went to Arizona, and from Arizona to Nevada, to regain my health.

The CHAIRMAN. How did you happen to go to Arizona?

Mr. BRITT. I weighed about 127 pounds—I was gassed—and went there to regain my health.

The CHAIRMAN. You say you have been practicing your profession in Tampico?

Mr. BRITT. I have, sir.

The CHAIRMAN. What do you know of the conditions in Tampico since you have been there, Mr. Britt?

Mr. BRITT. Throughout the oil fields, extremely bad.

The CHAIRMAN. How do you mean? Explain that.

Mr. BRITT. An American's life is not worth—well, would be worth more in the Argonne than down in the oil fields of Tampico.

The CHAIRMAN. You mean that an American's life to-day in the Tampico oil fields is worth as much as an American's life was worth during the attack in the Argonne in France?

Mr. BRITT. In the Argonne; yes, sir.

The CHAIRMAN. Due to what?

Mr. BRITT. Due to a certain percentage of propaganda of Germans.

The CHAIRMAN. Have you any evidence or do you know anything about that personally? About the propaganda?

Mr. BRITT. I have and I do.

The CHAIRMAN. State what it is.

Mr. BRITT. The Mundo, a newspaper of Tampico, was owned and controlled by German finances; that statement was given out at a meeting of the American Legion on Tuesday night at the Y. M. C. A. by our consul. In the article is stated that every American who was a member of the American Legion and wore a button should be deported from Mexico.

The CHAIRMAN. You are a member of the American Legion?

Mr. BRITT. I am, sir; I have my button and it will never come off. We have in the neighborhood of 400 members there, and the 400 members—

The CHAIRMAN. Now, what does that membership consist of?

Mr. BRITT. Men that are well-trained soldiers.

The CHAIRMAN. Where?

Mr. BRITT. Both in France and the United States.

The CHAIRMAN. All Americans?

Mr. BRITT. Yes, sir.

The CHAIRMAN. About 400?

Mr. BRITT. About 400.

The CHAIRMAN. Of whom you are one.

Mr. BRITT. I am one.

The CHAIRMAN. Just proceed now and tell your own story, Mr. Britt. You are an intelligent man; just tell your own story of the conditions there.

Mr. BRITT. Why, one condition existing down there is that in order to transfer money, of course, it has all to be in gold to pay off, they have to get a permit. As soon as they get that permit, information is passed down the line that the paymaster is on the way, and then they waylay anybody but the Carrancistas, because that country is just flooded with them.

The CHAIRMAN. Now, Tampico, as we understand, is under the authority of the Carrancistas?

Mr. BRITT. Of the Carranzistas and M. Palaez.

The CHAIRMAN. Where is Palaez?

Mr. BRITT. Palaez is through Amatlan and Tampico.

The CHAIRMAN. Where are the oil fields?

Mr. BRITT. Amatlan, Tampico, Panuco, and also the southern fields.

The CHAIRMAN. Who is largely in charge of the producing oil-well district in addition to Tampico?

Mr. BRITT. The Aguila Co., Metropolitan, the Huasteca has got some rights of way there, the International, the Texas Co., the Union Oil Co., and I am not positive as to whether the Island Co. has any interest there or not.

Senator SMITH. Who owns these interests—these oil interests?

Mr. BRITT. American interests.

The CHAIRMAN. They do not own the Aguila?

Mr. BRITT. No; but I understand they are somewhat interested in the Aguila, because there has been a consolidation in the last two months.

The CHAIRMAN. The Aguila, however, was originally British?

Mr. BRITT. British; yes, sir.

The CHAIRMAN. Lord Cowdry?

Mr. BRITT. Yes, sir; Lord Cowdry.

The CHAIRMAN. Now, as we understand, these oil wells in the oil district are built largely by pipe lines to Panuco and other points, and the pipe lines themselves are in the control of the Carrancistas?

Mr. BRITT. Absolutely.

The CHAIRMAN. Well, the oil wells are largely in control of Palaez?

Mr. BRITT. Why, he gets his money before the producers get a five-cent piece.

The CHAIRMAN. It is in evidence before this committee, Mr. Britt, testified to by Mr. Doheny and others, American well producers, that they are paying to Palaez approximately \$30,000 per month for protection?

Mr. BRITT. I venture to say more than that for protection.

The CHAIRMAN. Yes, sir; and then they pay all the regular duties, whatever they may be, from month to month, to the Carranza Government?

Mr. BRITT. Yes, sir.

The CHAIRMAN. It is also in evidence—I do not know whether you have had your attention called to it—that the payments made to Palaez are made under the precedent established by the payments originally made to Candido Aguilar, a son-in-law of Mr. Carranza, and by the advice of Mr. John Lind of the State Department of the United States?

Mr. BRITT. Yes, sir. I happened to be down there with Mr. John Lind.

The CHAIRMAN. So the committee understands it, and we think it is uncontroverted, that while it is true that the American oil interests in Mexico are paying for protection, for their protection to Palaez, that they are doing so with the acquiescence and by the request, first, of the Mexican Government, and, second, by the advice of the American Government?

Mr. BRITT. Personally, I think by John Lind.

The CHAIRMAN. And directly by the State Department, as the evidence before this committee shows.

Mr. BRITT. Yes, sir; by the State Department.

The CHAIRMAN. Now, have there been any occurrences of particular interest in the Tampico oil district since you have been there?

Mr. BRITT. Yes, sir.

The CHAIRMAN. What?

Mr. BRITT. That has been already testified to, but I do not mind stating it again.

The CHAIRMAN. If you will.

Mr. BRITT. Two of my very dear friends, F. J. Rooney and Earl Bowles. They were at my house for Christmas dinner, and they left on the 30th. Prior to that F. J. Rooney was employed by the Texas Co., and he resigned and joined the International Co. He

was a very heavy-built man, and he went down there on the 30th. As to the day he was killed I am not positive, but in the meantime the paymaster—they came over to the Texas Co. to get some gasoline, and the paymaster of the Aguila Co. had stopped in to get permission to carry gold down, which information had been imparted down the line that the paymaster was going, who happened to be stocky built the same as F. J. Rooney.

The CHAIRMAN. The Aguila Co. is the original Lord Cowdry?

Mr. BRITT. Lord Cowdry; yes, sir. These men were waylaid, and Rooney was shot through the back and the bullet pierced his heart, and his right shoulder was blown off. Earl Bowles jumped up and started to run, and he was shot through the ankle. Of course, that brought him down. They got upon him, and they took a machete and ran it clean through his body and brought it up and turned it over and brought it right up just as they would take a piece of beefsteak and cut it off. That is the way they chopped him up. All for the money; they mistook Rooney for the paymaster.

The CHAIRMAN. Who were these men you speak of?

Mr. BRITT. They were Carrancistas.

The CHAIRMAN. I mean Rooney.

Mr. BRITT. F. J. Rooney was from Houston, Tex., and Earl Bowles was from Texas.

The CHAIRMAN. Are they Frenchmen?

Mr. BRITT. One is an Irishman, and Earl Bowles is an Irish-American.

The CHAIRMAN. Do you know whether they are native citizens of this country?

Mr. BRITT. I am absolutely positive of it. Rooney's family is in Texas, and Earl Bowles' body was brought through this city day before yesterday for Thorndale.

The CHAIRMAN. They were from Texas, then?

Mr. BRITT. From Texas; yes, sir.

The CHAIRMAN. They were American citizens?

Mr. BRITT. American citizens. F. J. Rooney I know positively had bought \$3,500 worth of Liberty bonds, and Earl Bowles had bought about \$5,000 worth of Liberty bonds.

The CHAIRMAN. You mean bonds issued by this Government during the war?

Mr. BRITT. Yes, sir.

The CHAIRMAN. American Liberty bonds?

Mr. BRITT. Yes, sir.

The CHAIRMAN. With which to carry on this war?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Do you know with what ammunition these men were shot?

Mr. BRITT. Yes, sir; they were killed by Mauser bullets, which were used by the Carrancistas.

Senator SMITH. No other kind?

Mr. BRITT. That bullet is used by nobody else.

The CHAIRMAN. Where were they killed with respect to the lines of Palaez and Carranza?

Mr. BRITT. They were killed right in the Carranza lines.

The CHAIRMAN. Within the Carranza lines?

Mr. BRITT. Yes, sir.

The CHAIRMAN. What effort, if any, has been made by the Carrancista authorities to apprehend these men?

Mr. BRITT. The same as usual—nothing.

The CHAIRMAN. You say the same as usual. Explain that.

Mr. BRITT. They have never endeavored to get culprits of any of these deprecations and crimes, and, furthermore, there was not a witness within a mile of these two men, and the paymaster of the Aguila Co. came up about a half an hour afterwards and the bodies were warm, and he picked the bodies up and took them in the car and took them down to the plant. The Carrancistas are now crying that the Americans killed them, that they had no business to take the bodies away from there. The bodies were brought to Tampico and the Americans stood guard at the undertaker's to prevent the bodies from being taken.

The CHAIRMAN. How was that?

Mr. BRITT. Because we had the same experience when Wallace—Joe Wallace—was killed.

The CHAIRMAN. How was that?

Mr. BRITT. Well, he was a man that never took a drink, and when these Mexican physicians held the inquest the body was just covered with tequila. They had taken the body and poured it down his throat after he was dead, and then poured tequila all over his body, and this statement was made—that it was a drunken brawl that he was killed in.

The CHAIRMAN. You mean James Wallace?

Mr. BRITT. Yes, sir.

The CHAIRMAN. You mean to say that after he was dead that tequila or some other liquor was poured in his mouth?

Mr. BRITT. In his mouth and all over him.

The CHAIRMAN. With the intention of making the impression that he was intoxicated?

Mr. BRITT. Intoxicated and got into a brawl with these Mexicans.

Senator SMITH. Was he a drinking man?

Mr. BRITT. No, sir; he was not a drinking man. I know that to be a positive fact.

The CHAIRMAN. And for that reason the Americans guarded the body?

Mr. BRITT. Guarded the body until we got the American doctor to come down and hold this inquest with these Mexican doctors, and Dr. Garnett, of Tampico, Mexico, held the inquest.

The CHAIRMAN. What is the condition with reference to the relative safety of American citizens within the district controlled by Palaez and the district controlled by Carranza, if you know?

Mr. BRITT. Well, sometime ago after one of the men was killed down there, or the men came out of the fields; I think they were very foolish not to come out of the fields and leave the companies and leave the United States to suffer for the shortage of oil.

The CHAIRMAN. Although you know, having served in France and having your attention called, more or less, to the conditions, although you know that more than 20 per cent of the oil that was used by the American fleet and the British fleet, and to which we consider largely due the victory of the allied arms, came from Mexico?

Mr. BRITT. Yes, sir. Mexico produces more oil than the United States and Roumania.

The CHAIRMAN. And yet you think they should shut down?

Mr. BRITT. If they are not going to get any protection.

The CHAIRMAN. What would be the result?

Mr. BRITT. Starve out Mexico. Without the production of the oil, Mexico could not exist.

The CHAIRMAN. How about the United States?

Mr. BRITT. Well, Oklahoma could produce enough oil for the United States.

The CHAIRMAN. Well, it did not during the war.

Mr. BRITT. No, sir; it did not.

The CHAIRMAN. You think the recent developments in Oklahoma and Texas would enable us to continue without the Tampico oil fields?

Mr. BRITT. Well, I do; for it would only last about three or four months.

The CHAIRMAN. What do you mean by that?

Mr. BRITT. Tampico is paying the running expenses of the whole Republic, and without the income from the oil wells the Mexicans could not exist. It would cause an uprising against the Government.

Senator SMITH. They could not pay anybody?

Mr. BRITT. No, sir; they could not pay; it is impossible. A good percentage of the feeling down there is that they want the Americans down there. It is just a common, ordinary grafting of Luis Cabrera and Carranza.

The CHAIRMAN. Have you had your attention called to the report of the Fuel Administration of the United States with regard to gasoline production?

Mr. BRITT. I have not had it—have not paid much attention to it.

The CHAIRMAN. Do you understand that in the event the United States was compelled to depend entirely upon production in Texas and Oklahoma, or the old oil fields, as well as those which our experts claim may be developed within the United States, within 50 years the United States resources would be absolutely exhausted?

Mr. BRITT. I rather believe that is a hard problem for any man to answer, but I do not think these men—

The CHAIRMAN. I understand it is; but I want to know whether you had had your attention called to the Government report?

Mr. BRITT. I noticed an editorial.

The CHAIRMAN. You are living down there among American oil men of Tampico, Mexico. Do you know the American producers there personally?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Do you know Mr. Edward Doheny?

Mr. BRITT. I never met him down in Tampico but I have met him in Los Angeles.

The CHAIRMAN. You know he is one of the big ones?

Mr. BRITT. He has the biggest plant around there—the Huasteca.

The CHAIRMAN. Have you happened to read over Mr. Doheny's testimony before this committee?

Mr. BRITT. No; I have not, sir; but I can make this statement, that the reason why Mr. Doheny was going down to Tampico, Mexico, with Mr. Harold Walker, attorney for the Huasteca, and information was received that their lives would not be worth—well, would



not be worth 24 hours in that city—so they sent Dr. Paddleford down and Mr. Green went—

The CHAIRMAN. Mr. Green is the manager for Doheny?

Mr. BRITT. He is, I believe, the assistant manager now; since Dr. Paddleford—

The CHAIRMAN. Mr. Doheny is antagonistic to the Mexican administration there, is he not, or do you happen to know?

Mr. BRITT. I am not familiar enough with their office to answer that.

The CHAIRMAN. Well, do you know whether or not the Doheny Co., being the largest individual operator among the Americans, whether they have refused to manifest their holdings there, a request of the Mexican Government on permits to drill new wells?

Mr. BRITT. I do not know that positively, but I have been informed.

The CHAIRMAN. That is your information?

Mr. BRITT. That is my information.

The CHAIRMAN. Do you know where they secured the advice upon which they acted with reference to that?

Mr. BRITT. From their counsel.

The CHAIRMAN. Do you know whether the matter was submitted to the State Department of the United States Government?

Mr. BRITT. I have been informed that information was submitted to the State Department, and they were acting upon the advice of the State Department.

The CHAIRMAN. That the Government of the United States had advised them not to submit to the Carrancista decree?

Mr. BRITT. That is my information.

The CHAIRMAN. And that in the action which they have taken and which they have sought to advise the other people interested in the oil production in Mexico to take they have been guided by what they understood to be the desires of the United States Government?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Through its State Department?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Then these Americans down there are not simply acting as outlaws, are they?

Mr. BRITT. Oh, my heavens, no.

The CHAIRMAN. Have you ever had your attention called to the note of the American State Department of August 18, 1918, to the Mexican Government with reference to these manifests on their oil properties?

Mr. BRITT. I was not in Mexico then, I was in France.

The CHAIRMAN. Well, I did not know but what your attention had been called to that. Then you do not know, of course, that on that day following the protest of four years, that the American State Department—the President of the United States acting through the Secretary of State Mr. Lansing—notified the Mexican Government that the oil producers in Mexico would not be required to submit to the decrees of Mr. Carranza?

Mr. BRITT. I was informed of that.

The CHAIRMAN. And that the United States Government would protect any American citizens against such decrees?

Mr. BRITT. Well, the United States Government at the present time has not been doing anything.

The CHAIRMAN. Well, they notified them?

Mr. BRITT. Yes, sir.

The CHAIRMAN. On October 31, 1919, did you know that the State Department again notified Mexico?

Mr. BRITT. I have not seen the order, but I have been informed of it.

The CHAIRMAN. So that these oil people who are discussing in the press in the United States that the United States, as well as Mexico, are not actually international outlaws, as you understand it?

Mr. BRITT. Well, I can not see where they have been outlaws, they have been a benefit to the United States, and they have done their duty as much as the men that have been across the "pond" fighting.

The CHAIRMAN. And they were notified by the advice of the United States State Department?

Mr. BRITT. Yes, sir.

The CHAIRMAN. They abided by the advices of the State Department of the United States?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Then when Mr. Doheny, who was the original American oil man in Mexico, and developed the first well there, when he refused to submit his titles to the Carranza Government and to abide by the orders they may issue, you understand, as this committee does, that he has been acting under advice of his own Government?

Mr. BRITT. From the State Department; yes, sir.

The CHAIRMAN. You say you do not know Mr. Doheny, you do not know where he came from?

Mr. BRITT. Yes; I do know Mr. Doheny. I met him in Los Angeles. I know Mr. Hal Walker.

The CHAIRMAN. Do you know anything about Mr. Doheny, who he is and what he is?

Mr. BRITT. I know he is an oil man, he is the Huasteca.

The CHAIRMAN. It is a matter of interest to the committee, a matter of interest to the people of the United States.

Mr. BRITT. He has been very liberal to the Mexican Government.

The CHAIRMAN. Yes, sir. Do you know whether he was one of those millionaires?

Mr. BRITT. Mr. Doheny was a very poor man until he made a strike in California, and then down in Mexico.

The CHAIRMAN. Do you know who developed the oil wells in Mexico?

Mr. BRITT. He was a poor man working for a living.

The CHAIRMAN. Do you know whether he mortgaged his house or his wife's jewels, etc., to develop this property?

Mr. BRITT. I do not know whether any of you have been in Mexico, but he lives right down in that cactus there in those fields for months.

The CHAIRMAN. Well, he is what the border men——

Mr. BRITT. He is a pioneer down there.

The CHAIRMAN. What we Texans and New Mexicans and Arizonans know as a pioneer, he made himself?

Mr. BRITT. He made himself, yes, sir; he is a pioneer.

The CHAIRMAN. It is not for publication, but for your information, I will say that I worked on the hammer with Ed Doheny at \$3.50 a day myself.

Mr. BRITT. Any man that goes down in that country deserves everything he gets out of it.

Senator SMITH. He does not deserve something he gets down there.

Mr. BRITT. No, sir; he does not. I remember in 1913 or 1914, I am not positive which it was, Mr. Daniels, then the Secretary of the Navy, stated that we were all outlaws and adventurers and he took the fleet out. I happened to be in Vera Cruz when orders came in, we were going to embark and they got—and the boats went out, and although we fought them afterward, the Germans and English took us aboard and took us away from there.

The CHAIRMAN. Where were you?

Mr. BRITT. Vera Cruz.

The CHAIRMAN. When?

Mr. BRITT. 1913 or 1914, I can not say—it was 1914.

The CHAIRMAN. Who took you out?

Mr. BRITT. The Germans and English.

The CHAIRMAN. What Germans?

Mr. BRITT. The German ships.

The CHAIRMAN. The *Dresden*?

Mr. BRITT. I am not sure of the name of it now.

The CHAIRMAN. You were in Tampico?

Mr. BRITT. I was in Vera Cruz.

The CHAIRMAN. You were not in the Southern Hotel at Tampico at that time?

Mr. BRITT. No, sir; I had just left there. Clarence Miller was then American consul.

The CHAIRMAN. You considered yourself very fortunate?

Mr. BRITT. Well, it was just as bad in Vera Cruz.

The CHAIRMAN. Now, Mr. Britt, you are a member of the American Legion?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Of whom is the American Legion composed?

Mr. BRITT. One hundred per cent Americans—and every man that done his duty on this side is 100 per cent American.

The CHAIRMAN. Well, that is a broad assertion. I think I am 100 per cent American, and I know Senator Smith thinks he is 100 per cent American. Directly, what composes the American Legion?

Mr. BRITT. The fighting men, the men that produced and furnished the material for us to gain victory in this war.

The CHAIRMAN. The men who were in this war between the United States and Germany?

Mr. BRITT. Yes, sir; and done their duty.

The CHAIRMAN. Have you seen a copy of the City of Mexico papers, or reproductions in the American papers, of any statement from Luis Cabrera within the last few days with reference to the American Legion at Tampico?

Mr. BRITT. Of course, it is all hearsay with me.

The CHAIRMAN. I say, have you seen that?

Mr. BRITT. I have; and this Luis Cabrera said that the American Legion men in Mexico should be deported.

The CHAIRMAN. You are ready to be deported, are you?

Mr. BRITT. No; I am not.

The CHAIRMAN. Who is Luis Cabrera—minister of Hacienda?

Mr. BRITT. He is the Acting President of Mexico.

The CHAIRMAN. His nominal title is that of secretary of the treasury, minister of Hacienda?

Mr. BRITT. Yes, sir; and very little goes in the Treasury. I think I read a report that they were \$23,000,000 short down there—23,000,000 pesos, and they can not find that.

The CHAIRMAN. The committee's information was that the shortage was 175,000,000 pesos.

Mr. BRITT. Well, Carranza has part of that and Cabrera has got the rest. I understand that is all American money. Coming up I was talking to a gentleman in Monterrey, Mr. Miller, he is in the cattle business, and he was telling me that when Villa was operating down there, it was on a Sunday morning, and he called a meeting of all the members of the chamber of commerce, and of course they all came down to see the General, they did not know what was going to happen, and they got in this room and the soldiers were outside, and they locked the door, and Villa said, "Now, you damned Gringos, I need," I think it was 169,000 pesos or 600,000 pesos.

The CHAIRMAN. It don't make any difference.

Mr. BRITT. Anyway, he gave them 24 hours to dig up the money, and he said, "If any of you don't like it, I have my soldiers out there and the train is out there to take you out, and if any of you Mexicans don't like it, I will take you out of here and just line you up. I have got some men out there who are good shots."

The CHAIRMAN. Did they get the money?

Mr. BRITT. Oh, he got the money.

The CHAIRMAN. Have you traveled in Mexico since you have been there at all on the trains?

Mr. BRITT. Oh, yes.

The CHAIRMAN. What has been your experience in traveling and where?

Mr. BRITT. Oh, very pleasant [speaking sarcastically].

The CHAIRMAN. Yes? Where did you travel?

Mr. BRITT. From Tampico to San Luis Potosi. I just missed one blow up, and I missed the other one coming back.

The CHAIRMAN. You were fortunate. Was the train on which you were proceeding guarded at all, or did it have a troop train in front of it, or did it run at night?

Mr. BRITT. They carried a box car back, and they range from up that high to that high [indicating], all ages.

The CHAIRMAN. About from three to four or four and a half feet?

Mr. BRITT. The gun is bigger than they are, and the children are about four feet, and then they have men there about sixty years of age, and they have their refreshments over there in the corner, and this tequila, and before they get away they are all drunk.

The CHAIRMAN. That is on the train?

Mr. BRITT. That is on the train. Their guns are all rusty, and they beg, borrow, or steal from the Americans that are on the train.

The CHAIRMAN. I notice in the last few days that the train guards on the regular trains in Mexico have been increased from 50 to 100 in number. Instead of 50 as ordinarily, they have been increased

on the passenger trains to 100. When you were describing this car, did you mean to say that car was occupied by train guards?

Mr. BRITT. Oh, they all have their train guards on there.

The CHAIRMAN. Who do you mean by guards? Carranza troops?

Mr. BRITT. Carranza troops.

The CHAIRMAN. Do you know whether the train between Saltillo and the City of Mexico, that is to say, San Luis Potosi, proceeded at night or not?

Mr. BRITT. Well, these trains have been blown up at night. One of them was blown up at 10 o'clock. I had a picture of that train that was blown up on December 6, and I mailed it to you at Washington, with the names of the Americans that were on the train.

The CHAIRMAN. Where were you when it was blown up?

Mr. BRITT. I was safe in bed at Tampico; that is, I thought I was safe in bed, but I was robbed the next night.

The CHAIRMAN. That was the train before you, or the train after you?

Mr. BRITT. That was the train after me, and then the next train was December 11, but now it has got to be every other day or every three days.

The CHAIRMAN. There is a railroad between Tampico and Monterrey?

Mr. BRITT. Yes.

The CHAIRMAN. Is that run regularly?

Mr. BRITT. Oh, no; nothing is run regularly in Mexico. From Victoria to Tampico it is a pretty dangerous place.

The CHAIRMAN. Now, Mr. Britt, you are an attorney and you are an exsoldier, and you are an intelligent man. Do you notice in the papers reports constantly coming out of Mexico that conditions there are all right and that traveling is secure and people are safe in going backward and forward?

Mr. BRITT. Well, the Mexican Government is very proficient in their lying alibis.

The CHAIRMAN. What are the facts?

Mr. BRITT. The facts are exceedingly bad—the conditions are exceedingly bad. There is a man right here that came up from Monterrey with me, or from Tampico. He was over there and looked at his trunk, and I waited for my trunk to see it aboard the train, and he was over there to see his trunk got aboard the train. When we got to Monterrey his trunk was not there, and it contained considerable money and valuable papers. He has not got his trunk to this day.

The CHAIRMAN. Mr. Britt, do you read the San Antonio papers?

Mr. BRITT. The San Antonio Light.

The CHAIRMAN. Do you read the papers from along the border?

Mr. BRITT. We only get the San Antonio Light; once in a while we get the El Paso papers.

The CHAIRMAN. Well, take the El Paso Herald, the San Antonio Light, or other papers of that kind; I am not classifying them, but I mean other papers published here, you notice, I presume, constantly reports in those papers as to favorable conditions in Mexico and how conditions are improving?

Mr. BRITT. Well, they ought to live down there, and they would probably tell the truth.

The CHAIRMAN. Do you mean to say by that you think that they do not always tell the truth?

Mr. BRITT. I do not mean to question their integrity, or veracity, but I do question the source of their information.

The CHAIRMAN. I can safely say, with the acquiescence of my colleague here, that the committee is entirely in agreement with you. Senator Smith mentioned that you spoke of having gotten back subsequent to some train disturbance and prior to another, and that at the time of the occurrence of the second train robbery you were in safety but you had been robbed there. What do you have reference to?

Mr. BRITT. Well, you know, our houses are all screened. We are supposed to have doors in the houses and passages they generally get in, and all they have to do is to take a knife and cut out that screen and open the door. I did not hear them the first time. I woke up in the morning; in fact, my wife woke up, and I went out and the Victrola was gone and a bed was gone.

The CHAIRMAN. A Victrola is an ordinary talking machine, a singing machine?

Mr. BRITT. Yes, sir. And a considerable amount of jewelry was gone, and they even took a little parrot that I had there, and if the confounded thing had been able to talk, I would have gotten them, but I was just trying to teach him; he was a young parrot.

The CHAIRMAN. It would not talk at all?

Mr. BRITT. No, sir. The second time they came into the house I finally got one of them, and we went over to the jail two or three times and over to the court a couple of times, and I just wasted four or five days, and finally I could not find my man.

The CHAIRMAN. What had become of him?

Mr. BRITT. Fred Burns who moved into a new house, and they cut the glass out of the window and opened the door and took two trunks of his with them, and all the jewels of his wife.

The CHAIRMAN. They did not take his wife?

Mr. BRITT. No, sir; it is a wonder they did not take his wife, because he slept so sound. Then, Mr. George Kline, who owns the Imperial Hotel, he was robbed. They took his jewelry. One thing I feel satisfied about is that Aragon, a big attorney down there, he was robbed, so that is some consolation.

The CHAIRMAN. They do not play favorites?

Mr. BRITT. No; not at all. Senator, on this train of December 6 that was blown up, there were four Americans, and they were robbed of everything they had—Mr. Spaulding and Mr. Marlock.

The CHAIRMAN. You say they were robbed and it was blown up?

Mr. BRITT. They were robbed. The car that had the guard on it was blown up. The picture that I sent you will show you how they blew this up. They blow up any car they want to blow up. Of course, they don't want to blow up the first-class passenger car, because they would blow up all the valuable stuff. They had a wire and an automatic, and this wire was attached to the trigger and the bottom attached to a trap, and this man was behind a big rock, and they would blow up wherever they wanted to. All these soldiers were killed. Of course, up on top there was some soldiers, but as soon as they would come out of the car they would tumble them over. There were four officers in the train, and they started firing out of the

windows, and after they emptied their guns they threw them under the seats of the Americans, and when these men came in there they found the guns under the seats of the Americans, and the Americans told them they did not fire, and they would take the guns and smell the smoke, and they took them out on the hill and put a rope around Marlock's neck and took all their clothes, and they gave him a jumper and overalls; and when he got in he was as white as a sheet and sick for four days. On the second train that was blown up——

The CHAIRMAN. Are Americans allowed to carry guns there at all?

Mr. BRITT. Only with a permit, and then you are liable to get arrested for having a permit.

The CHAIRMAN. How did you get that permit, who did you get that permit from to carry a gun?

Mr. BRITT. From the comandante.

The CHAIRMAN. Did these Americans have permits to carry guns?

Mr. BRITT. No, sir; and they had no guns.

The CHAIRMAN. They had no guns or permits?

Mr. BRITT. No, sir.

The CHAIRMAN. And the Carranza soldiers or officers threw the guns under the seat?

Mr. BRITT. Yes, sir. And the second train that was blown up, young Forgarty, who had seen service across and had his arm blown off.

The CHAIRMAN. Is he a member of the American Legion?

Mr. BRITT. He is a member of the American Legion now. They robbed him and took everything away from him and humiliated him and told him he was a damned American.

Senator SMITH. The idea has gone out and been more or less prominently published in the United States that the difficulties down in Mexico originated largely from the enormous American capital invested in Mexico inimical to the interest of that republic and that all the excitement in America about Mexican outrages was due largely to the fact of the extreme energy of the great moneyed interest of Americans down in Mexico. Being in Tampico, as you say, in the heart of the main oil industry owned by the United States, can you give the committee any information as to whether that propaganda is justified by any conduct on the part of those oil interests, or whether those men are attempting to obey the reasonable laws of the country that they are in, or whether they are there disturbing the people of the Republic of Mexico?

Mr. BRITT. I will answer one question first, that they are there living up to all reasonable laws. Second, their initiative and their capital in going into these damnable holes to locate this property, is due only to the American who is progressive. These men go down there and they sink in those mud holes on blankets with the rain pouring down, and the Mexican is willing to take anything at all, anywhere from \$25 to \$5,000, and then after production they want more. They knew they had these oil wells down there, but they would not do it. It took the American to do it.

Senator SMITH. Since the American occupancy there—the American development—I am curious to know what truth there is in the report that these financial interests are inimical down there to the orderly government of Mexico?

Mr. BRITT. No, sir.

Senator SMITH. Do you know of any lawlessness on the part of the capital invested there? If you do, we want to know it, for if the American is down there disturbing by force conditions in Mexico he ought to be restrained. You feel that way and every other right-thinking man does.

Mr. BRITT. There is not an American down there, Senator, that does not live up to every reasonable law; and the peons down there are well satisfied with the money and the conditions. Of course, they are receiving more wages and receiving their wages promptly; that is, when they are not held up, and that is through the Carrancistas, and Mr. Carranza is cognizant of the fact. I would not be a bit surprised if he and Luis Cabrera were not receiving part of that money, because it was just shown that two of the officers were implicated in the robbery of \$60,000 gold; and it was reported that they were shot, and they were on the streets in Tampico two weeks afterwards. You know Villa has been dead nine years, but he is on the march to join M. P. (Manuel Palaez). I really believe that Villa would give the Americans a better show than Carranza has given them.

The CHAIRMAN. Mr. Britt, do you know whether there was ever an oil well sunk in Mexico by the Mexicans themselves prior to the formation of the Aguila Co. and prior to the Doheny explorations?

Mr. BRITT. Not to my knowledge.

The CHAIRMAN. Do you know whether there is a factory run in the entire Republic of Mexico, aside from one shoe factory in the City of Mexico, run by Mexicans?

Mr. BRITT. No, sir; I do not.

The CHAIRMAN. Do you know whether there is on Calle de San Francisco or on Francisco I. Madero, the principal street in Mexico City, whether there is a Mexican store or place of business?

Mr. BRITT. No, sir. I do know there are some Spaniards running stores. The only thing I have ever seen a Mexican do is begging.

The CHAIRMAN. Do you know whether any American company or individual operating in the oil districts of Mexico has acquired from Mexico any oil property of any kind or character—I mean from the Mexican Government, or whether their acquisitions have been from private parties, who have held titles to their lands from anywhere from 50 years to 200 years?

Mr. BRITT. Well, as a matter of fact, there is no title down there that is any good because there are so many illegitimate children.

The CHAIRMAN. That does not mean illegitimate children of Mexico, does it?

Mr. BRITT. Absolutely.

The CHAIRMAN. What I am asking you is, whether the titles to American properties in Mexico are acquired from the Mexican Government, or whether they have been acquired from private individuals?

Mr. BRITT. They were acquired from private individuals, and I recall one piece of property—of course, they have a notarial system there. One piece of property was sold to three different parties—three different companies by three different notaries, and all filed on the same day.

The CHAIRMAN. The idea seems to be entertained in some circles in the United States that Americans in Mexico who have been complaining of conditions there, are there by some special privilege



holding some oil lands, for instance, by concession from the Mexican Government.

Mr. BRITT. No, sir.

The CHAIRMAN. How are the oil wells taken over, by concessions from the Mexican Government?

Mr. BRITT. No, sir; emphatically no.

The CHAIRMAN. Were they dug like they were at Ranger, Tex., land owned by private individuals?

Mr. BRITT. Private lands.

The CHAIRMAN. Then the Mexican Government had nothing more to do with them than the United States Government?

Mr. BRITT. No, sir.

The CHAIRMAN. Had nothing more to do with the oil wells in Tampico than the United States Government had in the Burkburnett or Ranger oil wells?

Mr. BRITT. No, sir; they buy the land from the people, and in some cases—I know that the Huasteca has given them royalties from the production.

The CHAIRMAN. I wanted to emphasize that, that the oil wells dug in that district, dug in Tampico and in that district, Tuxpam and the other districts?

Mr. BRITT. I will name the places there, Nationalize, Tlaxpam, Tuxpam, Panuco. All that property was purchased from private parties.

The CHAIRMAN. Just as a man here would buy a piece of land out here at Ranger or Burkburnett?

Mr. BRITT. Yes, sir; absolutely.

The CHAIRMAN. And the Mexican Government had nothing more to do with it than the National Government at Washington, as at Burkburnett?

Mr. BRITT. Nothing more.

The CHAIRMAN. Then the oil properties in Tampico would be as though the National Government at Washington would take away from the people the titles to the oil wells at Burkburnett and Ranger?

Mr. BRITT. It means confiscation of their property.

The CHAIRMAN. Exactly, just as I say, if Mr. Wilson issued a decree that the people did not own the lands at Ranger or Burkburnett, that they belonged to the National Government, and that the people did not have any title?

Mr. BRITT. Yes, sir.

The CHAIRMAN. That is the condition now?

Mr. BRITT. Yes, sir.

Senator SMITH. The assumption has gone out also that the United States—holdings of the individual citizen of the United States, his holdings not only in oil but in many of the great holdings that the American has in Mexico, that that has been done through bribery and corruption of Mexican authority to the great detriment of the Mexican people. That has been done, as I say, through the bribery and corruption of money in America to the injury of Mexico. Your statement is that, on the contrary, instead of dealing with the Government in these concessions at all that the purchases are from the individual owners of the property directly, and that the Government had, if it ever had any interest, already disposed of it?

Mr. BRITT. These properties have been granted from Maximilian down to themselves, and the Mexican Government has no more control, outside of collecting the taxes, than our National Government.

The CHAIRMAN. Then, if under the organization of the Republic of Texas, and under its agreement with the United States by which it came in as a State of the Union, retaining its own lands, the State of Texas has granted in Burkburnett, or Ranger, or any other oil field a title to an individual, and that title had been acquired, or a part of it, by a Mexican who was a citizen of Mexico to-day, and the United States Government, or the National Government, would undertake to take his property away from him, the Mexican Government would have exactly the same right to object that the American Government has to the same course of procedure by the Mexican Government in Tampico, Tuxpam, Panuco, or any other field?

Mr. BRITT. Yes, sir. You see, Senator, all of the companies have their men; these men speak Spanish. They go down—pioneer down—through these countries, notify the owners of all the properties, and there is a civil record kept at Tuxpam. That civil record is examined, the family tree is perfected, and then the money is turned over.

The CHAIRMAN. The same as you would here?

Mr. BRITT. Yes, sir; you make an examination of the title.

The CHAIRMAN. Now, we hear a great deal about concessions—oil concessions—and the impression seems to be somewhat prevalent in the United States that the Americans are down there under a concession from the Mexican Government, and therefore they are amenable to the national laws of Mexico as to their oil lands. Now, I ask you whether they had acquired their titles to the oil lands from the private owners or from the Mexican Government?

Mr. BRITT. They acquire them from the private owners.

The CHAIRMAN. What does a concession of an oil well mean, if you know?

Mr. BRITT. A concession of an oil well means he has the privilege to go in there and drill.

The CHAIRMAN. And, under the decree of Carranza, that is exactly what our oil men have been objecting to; that is, that they, owning their titles, they should not be subjected to a national law under which they are required to renounce their titles. You are familiar with that decree?

Mr. BRITT. Yes, sir.

The CHAIRMAN. And that the Mexican Government, by a decree of President Carranza—not by an act of Congress, but by a decree of President Carranza—have stated that the Americans who desire to drill on their own lands must first—having private title belonging to them—that they must first apply to the Carranza government to drill their well; not under the police authority, such as the State of Texas has an absolute right to make; of course, under the general police authority, the State of Texas would have a perfect right to say you must, before drilling your well on your own property, file a statement and show you are drilling within certain boundaries; but, instead of doing that, the Mexican Government has required the American to say that they surrender all our

title, that you bought and paid for, and that, unless you file a quit-claim to the Mexican Government, you are not permitted to drill?

Mr. BRITT. Every title down there is an absolute bona fide purchase from the individual and not from the Mexican Government.

The CHAIRMAN. And that is the decree the Americans refused to abide by?

Mr. BRITT. Yes, sir.

The CHAIRMAN. They won't surrender their titles to their lands for the purpose of getting this police permit?

Mr. BRITT. Yes, sir.

The CHAIRMAN. And the Government says they shall not drill wells unless they surrender or unless they give a quit claim to their lands?

Mr. BRITT. Yes, sir.

The CHAIRMAN. And the United States Government has said to the Americans who own these lands, "You need not file any such title. We will stand by you"?

Mr. BRITT. Well; they should stand by them.

The CHAIRMAN. Well, they said they would. It needs to be seen whether they will. Now, as I understand, what is meant by concession, where such term is properly used, you need no concession under the law of 1910 or all laws prior to that, for the digging of a well. You can go and dig it just as any other citizen here in San Antonio.

Mr. BRITT. Yes, sir.

The CHAIRMAN. Complying with the police regulations of the city, you can go and dig it, but if you want a right of way across your neighbor's property for a pipe line, that is public business, a public matter; and that is a question of eminent domain?

Mr. BRITT. Yes, sir.

The CHAIRMAN. And the State of Texas exercises eminent domain, but the individual can not?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Therefore, if you want to exercise eminent domain for a right of way for a pipe line or otherwise across your neighbor's property, you must get that from the State of Texas. Now, that is what the concession is from the Republic of Mexico?

Mr. BRITT. Down there the Huasteca, they have a big right of way there, but they purchased every bit of their right of way from those individual lands.

The CHAIRMAN. Yes; I know that you are correct entirely; that was years ago when they went in there and got an invitation from Mr. Diaz.

Mr. BRITT. Yes; they were invited down there.

The CHAIRMAN. But what I want to emphasize is that what you call a concession, that strikes our American people as a special privilege, is the right of eminent domain?

Mr. BRITT. Yes, sir.

The CHAIRMAN. And there is no concession required to enable you to drill a well?

Mr. BRITT. No concession from the Mexican Government.

The CHAIRMAN. Is there any land in the Republic of Mexico owned under any concession, or is it owned under the laws of Mexico as we acquire land in Texas or anywhere else?

Mr. BRITT. Exactly the same.

The CHAIRMAN. We own it, but if we want to introduce mining machinery free of duty we ask them for a concession, and we agree that we will do certain developments.

Mr. BRITT. Yes, sir; but you never can get it.

The CHAIRMAN. But that is the only concession you can get?

Mr. BRITT. Yes, sir.

The CHAIRMAN. A concession is what is known here, in other words, in the city of San Antonio, as a franchise?

Mr. BRITT. Yes, sir.

The CHAIRMAN. As for a street railway or electric-light plant?

Mr. BRITT. Yes, sir.

The CHAIRMAN. In Mexico we call it a concession; in San Antonio we call it a franchise?

Mr. BRITT. Yes, sir.

Senator SMITH. You get your property from the individual owner and you get your concession from the State?

Mr. BRITT. Yes, sir. Another outrage that was perpetrated that skipped my mind was Mr. Porter. The Mexicans claim that he was on a hunting trip, but he had some money in his pocket, and on this hunting trip he must have lost the money that was in his pocket.

The CHAIRMAN. What became of Porter?

Mr. BRITT. He was only shot in the back, that was all.

The CHAIRMAN. When was that?

Mr. BRITT. Recently.

The CHAIRMAN. Who was he—only an American?

Mr. BRITT. He was only an American down there.

The CHAIRMAN. He was not even a Texan?

Mr. BRITT. I believe he was from Texas.

The CHAIRMAN. Is that so?

Mr. BRITT. I believe he was from Texas, Tom Porter.

The CHAIRMAN. Shot where?

Mr. BRITT. Alamo.

The CHAIRMAN. What district?

Mr. BRITT. Carranza district.

The CHAIRMAN. Inside the Tampico district, Tamaulipas?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Very recently?

Mr. BRITT. Right recently. Right after James Wallace was killed. I have some statistics on the number of Americans killed in the Tampico oil district; I think something like 168, and there has never been a one of those culprits brought to justice. They will say as to Mr. Bowles and Mr. Rooney, that they were brought to justice, but they were not.

The CHAIRMAN. The line of Tamaulipas, from Vera Cruz to Tamaulipas, runs through the oil district?

Mr. BRITT. Yes, sir.

The CHAIRMAN. When you say Porter was killed in Tamaulipas, you mean over the line in Vera Cruz?

Mr. BRITT. Yes, sir.

Senator SMITH. You know nothing personally of Mr. Porter's death?

Mr. BRITT. Personally nothing, only that the papers say that he was on a hunting trip, and that he had gone down through the fields

there, and it seems strange that the money was missing, and he was with some Americans.

The CHAIRMAN. That is likely to happen. You spoke of the number of Americans killed in the oil district. You say 160 odd?

Mr. BRITT. That is only hearsay.

Senator SMITH. I mean, how did you get on the line of finding out?

Mr. BRITT. Well, one of the men that has been down there a number of years kept tally, and he has been there 22 years, I think.

The CHAIRMAN. Well, the American consul has a list of them.

Mr. BRITT. Well, he ought to have a list of them all. Miller and Dawson, and I think the man who is down there that could give a great deal of information would be Irby Swift, who is secretary of the chamber of commerce.

The CHAIRMAN. Is the American Legion going to get out of there on the statement of Luis Cabrera?

Mr. BRITT. Well, we won't get out if the United States Government stands behind us. We will fire the first shot.

The CHAIRMAN. How many Mexican citizens belong to the American Legion at Tampico, if you know?

Mr. BRITT. There is four—three or four, and they have been placed under arrest, I understand. I am not positive about that, because we had the meeting on Tuesday night and I left on Thursday, and this article came out Wednesday.

The CHAIRMAN. They served with the American Expeditionary Forces across?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Four Mexican citizens?

Mr. BRITT. Yes, sir.

The CHAIRMAN. You understand they have been arrested?

Mr. BRITT. Yes, sir.

The CHAIRMAN. Is the American Legion at Tampico looking after their interest?

Mr. BRITT. Yes, sir; we have the commander of our post, Capt. T. Lee Miller, who served, I think, 24 months across in France, and one of the bravest little fellows that put on an American uniform.

The CHAIRMAN. That is all, Mr. Britt, and thank you very much.

#### TESTIMONY OF F. M. McBEE.

(The witness was duly sworn by Dan M. Jackson, Esq., duly authorized thereto by order of the subcommittee.)

The CHAIRMAN. Give your name to the stenographer there, please.

Mr. McBEE. F. M. McBee.

The CHAIRMAN. Where do you live?

Mr. McBEE. Del Rio.

The CHAIRMAN. You are a citizen of the United States of America?

Mr. McBEE. Yes, sir.

The CHAIRMAN. How did you become a citizen?

Mr. McBEE. I was born in the United States.

The CHAIRMAN. Where?

Mr. McBEE. Tennessee.

The CHAIRMAN. Tennessee?

Mr. McBEE. Yes, sir.

The CHAIRMAN. Where have you lived since your birth?

Mr MCBEE. I have lived in Texas 60 years.

The CHAIRMAN. Texas, this State?

Mr. MCBEE. My father moved to Texas in the spring of 1860.

The CHAIRMAN. Have you been interested at any time within recent years in the Republic of Mexico?

Mr. MCBEE. Yes, sir.

The CHAIRMAN. Where, Mr. McBee?

Mr. MCBEE. Me and my son have rented a pasture 20 miles from Las Vacas—or Del Rio, a little down, right across.

The CHAIRMAN. You rented a pasture? What did you use it for?

Mr. MCBEE. To put cattle and goats on.

The CHAIRMAN. How many cattle?

Mr. MCBEE. We bought 500 cows and calves and about——

The CHAIRMAN. And goats?

Mr. MCBEE. About a thousand goats

The CHAIRMAN. When was that?

Mr. MCBEE. In 1915.

The CHAIRMAN. Where did you buy this stock that you placed there?

Mr. MCBEE. We bought the cattle at the Jasoleco Ranch, about a hundred miles south.

The CHAIRMAN. In Mexico?

Mr. MCBEE. In Mexico; yes, sir.

The CHAIRMAN. That was in what year?

Mr. MCBEE. In 1915.

The CHAIRMAN. Are you still in business there?

Mr. MCBEE. No, sir; we stayed there until 1917, and came out with what we had left.

The CHAIRMAN. Why did you come out?

Mr. MCBEE. Well, they was stealing them all from us.

The CHAIRMAN. Stealing them out of your pasture?

Mr. MCBEE. Yes, sir.

The CHAIRMAN. How were they stealing them? Just like the cowboys in Texas would, or how?

Mr. MCBEE. They came there at nights and ran them off; I didn't see the trail, my man that was working for me would see the trail. All during 1915 old Gen. Burronego had charge of the place there; he was a good man, and told us: "Don't be afraid, you will not lose a cow or nothing," and we felt safe; but he was ordered to Saltillo to take the place of the governor when he was electioneering and right away after he left they began to steal our cattle.

The CHAIRMAN. Who?

Mr. MCBEE. The Mexicans—somebody. Then we complained to the captain there—that was there in Las Vacas—and he sent us a kind of escort out there.

The CHAIRMAN. Whom did he represent?

Mr. MCBEE. Carranza. And he sent us four or five men in our camp, and we had to feed them.

The CHAIRMAN. Who fed them?

Mr. MCBEE. I did; and they struck the trail of those cattle and would follow them until they got outside of the pasture, and, of course, this is what my man told me, I wasn't there, and when the trail would get fresh they would stop and squench their shoulders up a little and say, "No tiene permiso." I guess you know what that

means—they didn't have any permission. This man Fernando Elizondo, who was possibly with my boys, advised my son not to stand there. "You will be killed the first time you ride upon a bunch of these fellows that are taking these cattle; you will be killed, because they are armed and you are not allowed to take arms."

The CHAIRMAN. Were you allowed to have arms there for your protection?

Mr. McBEE. No.

Senator SMITH. Were you allowed to have arms?

Mr. McBEE. They notified us we couldn't take arms.

The CHAIRMAN. Suppose you should arrive at the border with a Winchester and a six-shooter, could you take them across?

Mr. McBEE. No, sir.

The CHAIRMAN. Who stopped you?

Mr. McBEE. They stopped you on the other side then, but on this side now.

The CHAIRMAN. Who stops you on this side?

Mr. McBEE. I don't know; I never tried it; but they say they wouldn't let you take a gun from here over to the other side now.

The CHAIRMAN. Who were they?

Mr. McBEE. I reckon that is what is called the river guards, the old river guards.

The CHAIRMAN. How much did you lose, Mr. McBEE, in your cattle investment?

Mr. McBEE. We kept on trying to get them out; they wouldn't allow us to bring them out, but finally we got them to let us bring out what we had left, and we brought on this side 330 head and had to pay them \$10 a head in order to get them over.

The CHAIRMAN. What year was that?

Mr. McBEE. In 1917, in the fall.

The CHAIRMAN. You bought them in 1915?

Mr. McBEE. Yes, sir.

The CHAIRMAN. Cows and calves?

Mr. McBEE. Yes, sir.

The CHAIRMAN. What ought you to have had?

Mr. McBEE. Well, I don't know, I never figured only just what I bought. I figured up then, I ought to have had an increase, but that is all I ever figured.

The CHAIRMAN. You got less than you bought?

Mr. McBEE. I got about 700 less; I got 330 and I had about a thousand.

The CHAIRMAN. What about your goats?

Mr. McBEE. We never did keep right with tab of what they took from us, but the man in charge of the goats, the man came just as they had killed a herder, told us he had got 400 out of the pasture, and had went to Musquiz. We never could get anybody to go with us, we couldn't follow him ourselves, and we couldn't get anybody to help us.

The CHAIRMAN. Do you know whether \$10 a head duty is the regular duty on cattle or not?

Mr. McBEE. No, sir; I don't.

The CHAIRMAN. You don't know whether it was at that time?

Mr. McBEE. No; that was the duty, so they said.

The CHAIRMAN. Do you know whether or not any Americans on this side had any special permits entitling them or authorizing them to bring cattle over here for less than that sum?

Mr. McBEE. No.

The CHAIRMAN. If they did, you were not fortunate enough to stand in with them?

Mr. McBEE. No; I know it looked to me like they just fixed the price after that to suit themselves, and got you in that kind of a shape—of course, that was giving one-third of the cattle away, and I thought I'd better get over with something than nothing.

The CHAIRMAN. Did you get over with your saddle horses?

Mr. McBEE. No; they gave them back.

The CHAIRMAN. Who gave them back?

Mr. McBEE. The Mexicans wouldn't allow us to bring them over.

The CHAIRMAN. The officials in Mexico?

Mr. McBEE. Yes; I had about 15; I have 35 over there and I got out 20 of them—crossed them over at night. I smuggled them over or they would have got away with them all.

The CHAIRMAN. How long have you lived in Texas, did you say?

Mr. McBEE. Sixty years.

The CHAIRMAN. You only got 20 over?

Mr. McBEE. Yes; 20. I had to have some left, you know, to work the cattle and drive them out of there, but I had 20 good ones, you know. I was either going to lose them—they kept stealing them on me; I got out 20 of the top ones and swam them across the river—son and I.

The CHAIRMAN. You didn't pay any duty on them?

Mr. McBEE. No.

The CHAIRMAN. Ain't you afraid you are going to have to pay that duty?

Mr. McBEE. I might. I noticed on this side, to come out right on the bank, we were going to make an effort to get over with 20 of our saddle horses; the river guards were standing there and they saw they were horses I raised on this side.

The CHAIRMAN. We are needing the revenue; we will have to look into that, I guess.

Mr. McBEE. I guess so; maybe you will get the Government to make me, by getting the Mexican Government. If you ever get anything out of them you will be a dandy.

The CHAIRMAN. How about you—you live here in San Antonio, Mr. McBee?

Mr. McBEE. No, sir; I live in Del Rio. I only ranch 40 miles north of Del Rio, and I live there; I have got my home there.

The CHAIRMAN. When did you come from Mexico?

Mr. McBEE. In 1917; but I go over there once in a while.

The CHAIRMAN. Still have business over there?

Mr. McBEE. Not particularly, only I—[laughter]—I never go over there to get a drink, but I never fail to get one when I go.

The CHAIRMAN. Just go over there to kind of get even?

Mr. McBEE. Yes.

The CHAIRMAN. When did you surrender your lease on this land?

Mr. McBEE. I leased it from—well, right from the one I got my cattle; we had it about three years.



The CHAIRMAN. Just leased it to you from year to year?

Mr. McBEE. Yes, sir; by the year.

The CHAIRMAN. Then he was removed and somebody else was put there in charge?

Mr. McBEE. Yes. Now, right on this same ground where I had these cattle is where two young men were killed—Sellers and Sharp.

The CHAIRMAN. Who were they representing?

Mr. McBEE. After I moved out of there Mr. Weathersby put some cattle there, then he put this Mr. Sharp to assist the boss, and he hired this Mexican that was my man to work with him, and then Mr. Sellers, was a neighbor, sent his son over there with two flocks of sheep. It was mighty dry and bad and they stayed around together for company's sake, and this man was the first man I ever spoke to—this man Fernando Elizondo—was the first man that I spoke to that told me he was gone; he ran up to me and says: "Mr. Mac, Sharp and Sellers's boys are missing. I have hunted for them four or five days and I know they are killed," and then I got a bunch and went over there and got them out of a cave.

The CHAIRMAN. Who went over there?

Mr. McBEE. Mr. Sharp, father of one of the boys, and some of the Sellers, brothers to the boy that was in there; oh, there was a good many over there.

The CHAIRMAN. That is, from Texas?

Mr. McBEE. Yes; from Del Rio, I think, Mr. Weathersby, maybe.

The CHAIRMAN. You found the boys?

Mr. McBEE. Yes; we were out there, and we knew where this cave was, or had an idea where it was, and they went to camp there. They hunted and hunted for this camp, for this cave, and it was just like an old well hole in the ground, and they finally gave it up; said they couldn't find them. And the next morning they sent the Mexican boy out to hunt the horses—that is the way they tell me—I know, because I questioned them closely about it; I was going to the funeral of both of the boys. They said the boy came running back and said, "I've found the cave." He said he got close to the cave and smelled something, and he went and threw something dry in there to see if he could see something. He caught this Sellers boy on a cliff about 20 feet; it burned his legs.

The CHAIRMAN. How old was this boy?

Mr. McBEE. About 21, the Sharp boy.

The CHAIRMAN. Did he live in Texas?

Mr. McBEE. Yes, he lived right there; his father and brother lived there in Valverde County. Now Sharp missed this table and fell on about 100 feet, his father told me. I think he gave \$15 or \$20 for a rope, and gave a Mexican \$20 to go down and put him on a piece of canvas and tie him up and bring his remains out. He had been dragged to death, from all appearances; they put the rope around his neck and half hitched it in his mouth and dragged him to death. He didn't have any gunshot wounds, they could see where it had dragged him; then they hung him over this cliff and cut the rope off, and there was 2 or 3 feet left.

The CHAIRMAN. The other boy?

Mr. McBEE. He had been shot.

The CHAIRMAN. What were these men doing over there; these men and boys?

Mr. McBEE. Sharp was working for Mr. Weathersby, for these cattle, and the Sellers boys was taking care of his own sheep. They were on the same ranch, and they were staying together for company's sake.

The CHAIRMAN. They were attending to their business, representing their employers?

Mr. McBEE. Yes. I am satisfied there has never been a man arrested for none of it, it has always been the opinion of all of us there, there is no sensible person in that country that don't know who done it. After we got over there, there was a Mexican—he was an officer that belonged to the Carranza Government—he got in pretty bad and they had run him out of there and run him across the river—he was raised in Del Rio and talked good English, and me and my son was good friends, he liked us; he said, "If you will intercede for me and have me pardoned I will guarantee to take care of your interests," and I thought that was about right and I told him we would talk about it. We talked to Gen. Neda about it, and he said, "Yes, if you will come back and do what you promised we will pardon you," and he came back and was a colonel, from the best information we have always got from men that worked over there, they were afraid to tell. He was the head of the bunch that killed these two boys; was the main man that done all of the stealing from me, and Juan Quiroz was his lieutenant, he was "Juez de Campo," I don't know what that is; that was an officer in the Carranza army, and we believe and have been told since he was identified.

The CHAIRMAN. There has been nobody punished in the matter.

Mr. McBEE. Oh, no.

The CHAIRMAN. There has been no attempt so far as you know to apprehend or punish any one in the matter?

Mr. McBEE. No; not a bit in the world. Now, right by the side of me the Rangers had to fight off a lot of smugglers one night and fired about 15 or 20 shots.

The CHAIRMAN. The Texas Rangers, you are talking about?

Mr. McBEE. Yes; Capt. Borler. The next morning I went down there, and the people that was doing the smuggling had jumped in the river and made their escape. They shot at them 15 or 20 times; I don't know whether they shot any of them or not, but they captured their mules, loaded with hides. I went back down town and we unloaded those mules and took those hides off, and there was seven skinned hides, right fresh.

The CHAIRMAN. None of them were yours?

Mr. McBEE. No. Mr. Weathersby was standing there and he sent over to Las Vegas to get this little captain. I took him over to one side and I said, "Do you think you will get anything out of that gentleman?" I said, "I will bet you anything he has eaten some of that meat?" Why, they fed the soldiers on them; you could see them hanging in the camps and everywhere. I said, "These soldiers are eating our cattle." That was it; there was seven fresh hides there and they never arrested a soul for it, not a soul; I told Mr. Weathersby I was going to have him brought down here, and I want you to bring them all and make them tell all they know.

The CHAIRMAN. He is still doing business in Mexico?

Mr. McBEE. Yes; has got lots of stuff there. He said he wouldn't like to volunteer because he has got lot of stuff in Mexico, but you

bring him here and he will tell it. And William Gurley—in regard to my own part of it, I don't care who knows it.

The CHAIRMAN. Looking at you, I would think that.

Mr. McBEE. You bet.

The CHAIRMAN. All right, Mr. McBee; very much obliged to you.

Mr. McBEE. I feel just this way: If the Government has done enough to send an investigating committee here I think the people who know these things ought to come.

The CHAIRMAN. That is all we are here for; is to get the truth as nearly as we can get it.

Mr. McBEE. We have been treated worse—now the people of this country know how we have been treated. Capt. Davis—do you know Capt. Davis?

The CHAIRMAN. Yes.

Mr. McBEE. He said he was going to come.

The CHAIRMAN. All right, sir; very much obliged.

The CHAIRMAN. Gentleman, we are going to have an executive session for a few moments, and we will have to ask the audience to let us have the room, and the newspaper men.

Thereupon at 4.15 o'clock p. m., the room was cleared of every one but the members of the commission and attachés and official reporters, whereupon the following testimony was taken in executive session.

# INVESTIGATION OF MEXICAN AFFAIRS.

THURSDAY, JANUARY 15, 1920.

## UNITED STATES SENATE, SUBCOMMITTEE OF COMMITTEE ON FOREIGN RELATIONS.

The subcommittee met, pursuant to adjournment, at 11.15 o'clock a. m. in the pink room of the Gunter Hotel, San Antonio, Tex.

Present: Senators Fall (chairman) and Smith. Dan M. Jackson, Esq., clerk of the subcommittee.

The CHAIRMAN. The committee will come to order. Mr. Secretary, I hand you a telegram there, which you will read into the record. [Handing telegram to Mr. Jackson.]

Mr. JACKSON. This is a cablegram by way of Galveston, dated Mexico DF 14 [reading]:

Senator ALBERT B. FALL,  
*San Antonio, Tex.:*

I confirm and renew invitation sent you through Mr. McCullough to come to Mexico and look into the real situation of our country. Instead of looking into the Mexican situation through the keyhole of the door of an official investigation, distorted by the lenses of prejudices and biased by specially interested parties, come to Mexico and see how our country is living and fighting her way to reconstruction through all sorts of obstacles, both internal and external. As a Mexican, I can not accept that the Senate of the United States has power to investigate the domestic affairs of Mexico, because that would mean a right to interfere with our own private affairs, but any straight, clean-minded, well-meaning American may know Mexico as it is. Although you are not considered very friendly to our country, Mr. Fall—not Senator Fall—will be welcomed at the border, either in Laredo or Ciudad Juarez, with pleasure, and we will place special car at your disposal so that you may visit any part of Mexico you desire. Awaiting your reply, I am,

Courteously, yours,

LUIS CABRERA.

The CHAIRMAN. Mr. Reporter, read into the record the personal answer to this telegram which I have just dictated.

(The reporter thereupon read into the record the following telegram:)

HON. LUIS CABRERA,  
*Mexico City, Mexico DF.*

Acknowledging your exceedingly courteous cablegram of yesterday I assure you that I understand fully and appreciate sincerely not only the words but the spirit in which the same were sent. I assure you personally that I will engage in no official or personal investigation of the Mexican situation through the key hole of a door distorted by the lenses of prejudices or by influence of specially interested parties. I am confident that the American Congress and the American people are interested in Mexico and its conditions and have ordered an investigation of same because of a friendly neighborly feeling of interest for our nearest national neighbors and because of the very material interests of our American citizens who have been assisting in the development of Mexico's resources and who have been entirely responsible for increasing the remuneration of the Mexican workmen in Mexico to my personal knowledge in the amount of not less than five hundred to three thousand per cent within the last thirty years. The American people are only interested for the above reasons in the domestic affairs of Mexico. Person-

ally I appreciate the fact that if I visited Mexico I would be received with the extremes of courtesy by yourself and associates. I also realize, of course, as you do, that if I sought to visit sections of your country not guarded by your Federal troops I would subject myself to your criticism and that of at least some other Mexicans upon the ground that I was in communication with those opposed to your and the Carranza administration.

I have no doubt that documentary evidence would be readily found and telegraphed to this country as well as throughout Mexico to the effect that a number of the Congressional Committee of the United States was holding communication with opponents of a Government recognized by this country. And yet you, of course, appreciate that should I visit Mexico as your guest I would be precluded from investigating any complaints of your own people against the Government with which you are connected.

I regret that under the Constitution and laws of the United States no official of this Government can extend to you the reciprocal courtesy of a special train as governmental funds here are used for governmental purposes. I regret that my personal means will not permit the expense of a special train to be placed at your disposition should you come here, but I assure you both, personally and officially, that should you desire to consult this committee I will arrange for paid transportation for you from any border point to any point in the United States and that the committee and myself personally will be delighted to welcome you at any time.

Gratefully, yours,

ALBERT B. FALL.

The CHAIRMAN. That is to be signed by me personally and charged to my personal account.

### TESTIMONY OF MRS. MARY WRIGHT.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Mrs. Wright, where do you live?

Mrs. WRIGHT. In San Antonio.

The CHAIRMAN. Are you a citizen of the United States?

Mrs. WRIGHT. Yes, sir; born and raised near Austin, Tex.

The CHAIRMAN. How long have you been living here?

Mrs. WRIGHT. Well, this last time, seven years.

The CHAIRMAN. In San Antonio?

Mrs. WRIGHT. Yes, sir.

The CHAIRMAN. Where did you come from to San Antonio?

Mrs. WRIGHT. I came from Mexico.

The CHAIRMAN. What portion of Mexico?

Mrs. WRIGHT. In the southern part of San Luis Potosi.

The CHAIRMAN. In the State or the city of San Luis Potosi?

Mrs. WRIGHT. In the State.

The CHAIRMAN. In the State of San Luis Potosi, about seven years ago?

Mrs. WRIGHT. Yes, sir; in the State of San Luis Potosi, about seven years ago.

The CHAIRMAN. You can just state in your own words, Mrs. Wright, anything which you desire to communicate to the committee, and through it to the American people, with reference to your experiences in Mexico.

Mrs. WRIGHT. Thank you. Well, Senators and citizens, as I sit here to-day, fond memory brings the light of other days about me. When I remember all my friends in Mexico, so linked together, I have seen them fall like leaves in wintry weather. Some are dead and some are gone, and some are here to-day to tell it all. Thus I

am here to tell of my experiences and my family's experiences of seven years in Mexico. Well, in 1918, my husband, Mr. Wright, myself, and three daughters left Austin, Tex., for the southern part of San Luis Potosi.

The CHAIRMAN. Was that your first visit—in 1918?

Mrs. WRIGHT. In 1908.

The CHAIRMAN. 1908? I misunderstood you.

Mrs. WRIGHT. Yes, sir. I would like, at the start, to present these photographs of my three daughters, who accompanied me, and two of them had the same experience that I wish to give. (The witness handed photographs to the chairman.) We went in this—we bought the land, 500 acres, in the southern part of San Luis Potosi, a rich valley. On the east of this valley was a mountain a thousand feet high, on the west a smaller; at the foot of this mountain lay a beautiful crystal stream, the El Salto River; this valley, however, is the El Salto Valley. On the banks of this beautiful river we established and founded that beautiful realm called "home." There we employed hundreds of peons, and proceeded—but, by the way, I am a little ahead of my story. As I went in I took stock—cows, hogs, implements—modern implements and everything to begin business right in the spring, so that would be ours—and began to clear and improve and plant this wonderfully rich land; by the way, this country abounded with wonderful fruits—oranges and lemons and many other of the smaller fruits the whole year round came up in plenty. We could hear the roar of the lion, the scream of the tiger and the wildcat, and it was a country of splendor. So you can see I was beginning to live, it seemed good. For three years we labored earnestly, willingly—of course, enduring some hardships, as this country is not all paradisiacal, but I can say it was as near so as any country I have ever lived in. This beautiful valley——

The CHAIRMAN. Pardon me just a moment. You lived there for three years, did you?

Mrs. WRIGHT. For five.

The CHAIRMAN. At that time?

Mrs. WRIGHT. Five years; yes, sir.

The CHAIRMAN. Well, at the expiration of the third year, or three years, were the conditions in Mexico and in your neighborhood different from those that existed when you went there?

Mrs. WRIGHT. Yes, sir. At the end of three years we had these depredations, after Madero was killed—of course, in certain parts of Mexico, why, we would hear of these bandits and these little roving bands that would come—of course, at that time we were safe; we had never been visited by them, and yet they were approaching, and there would be a few scattering men that would come in and ride around a little bit, but yet we had not suffered any losses whatever.

The CHAIRMAN. These men that you speak of were in opposition to the Madero government?

Mrs. WRIGHT. Well, seemingly. That would be a hard question to answer.

The CHAIRMAN. Well, who were their leaders, Mrs. Wright?

Mrs. WRIGHT. Well, they claimed to be revolutionists. Who their leaders were I don't know.

The CHAIRMAN. Were they under the leadership of the Cedillos brothers, or any of those?

Mrs. WRIGHT. No, sir; not at that time; really they called themselves "capitans"—just called themselves revolutionaries.

The CHAIRMAN. Did they visit your ranch at any time?

Mrs. WRIGHT. Many times; yes, sir; many times.

The CHAIRMAN. In what year was it?

Mrs. WRIGHT. Well, 1916.

The CHAIRMAN. How did they conduct themselves?

Mrs. WRIGHT. Well, the first raid they made there was a band of men; I suppose 90 to 80 of men, that were considered the ruffians—the bad men of the peon class.

The CHAIRMAN. Was your family at home?

Mrs. WRIGHT. Yes, sir.

The CHAIRMAN. With you at that time?

Mrs. WRIGHT. My family—my two daughters and my husband.

The CHAIRMAN. Your husband and two daughters?

Mrs. WRIGHT. Yes, sir. On this first raid they made they came with about 14 or 15 men, came in, demanded money—demanded first arms and ammunition. They took what we had.

The CHAIRMAN. Did you have arms and ammunition?

Mrs. WRIGHT. Yes, sir; we had some revolvers and a few guns.

The CHAIRMAN. They took them, did they?

Mrs. WRIGHT. Yes, sir; all except one, a revolver that I had hidden myself. And they demanded that we open our store—we furnished our peons everything from food to clothing—and they took what they chose and destroyed a good deal of stuff in the way of glass.

The CHAIRMAN. Did they pay for what they took?

Mrs. WRIGHT. No, sir.

The CHAIRMAN. Did they give you receipts for it?

Mrs. WRIGHT. Never.

The CHAIRMAN. Did they say how they took it, whether it was under the cloak of impressing it for governmental purposes, or did they explain?

Mrs. WRIGHT. They made no explanation, none—they took it and walked out.

The CHAIRMAN. How long before your place was raided again.

Mrs. WRIGHT. It was raided then on May 28—it was—in the mean time they were taking off all the women and all the girls, Americans, and Mexicans as well, carrying them off; so we, to protect ourselves, we hid in the cane night after night, many nights, and would feel—we never knew when we were going to sleep at home, but we had provisions enough. Sometimes, of course, when they came into these haciendas they stayed, they camped as long as there was anything to eat or to wear or destroy; so that was the life we led about six months—no, for six weeks; and then this last raid, they seemed to have discovered us; they came into our home several times and searched for us, for myself and our daughters, and this last raid is something I would like to picture in your mind, to describe, if you will let me and allow me any time.

The CHAIRMAN. Just as briefly as you can.

Mrs. WRIGHT. Yes, sir. Anyway, they came with an army through there, with a captain, head man, they were coming, bringing from 50 to 60 men; it was a dark night; we took ourselves to the cane field as usual; they were going to burn the cane, set the cane afire to burn us out and capture us; that was the last ray of hope we had of

escape; they discovered our hiding place, so there we stayed in suspense for hours. They came into our home—my husband was a very sick man alone; they destroyed our telephone; they demanded money; they demanded that he pay them so many pesos in so many days; tried to hold him for ransom; they helped themselves to any thing they wanted in the house, in the store, and went down into our camp—our Mexican camp—where we had fed hundreds of employees; demanded that so many go with them; if they refused it was death—they shot two dead—and I believe at this time took off 10 of our best men. And then after that there were raids frequently, off and on, every week, sometimes two weeks. All this time my husband was cut off from medical aid—the roads were cut off; they were destroyed; we had no provisions, only what we had hid in the banks of the river, for over two months, yet we were fortunate enough to have them; and the roads being torn up, he was cut off from medical aid and doctor and physician.

The CHAIRMAN. How far were you from the nearest town?

Mrs. WRIGHT. We were from Valles about 18 miles.

The CHAIRMAN. Were there any governmental or Federal troops anywhere, at Valles or in the neighborhood?

Mrs. WRIGHT. Yes, sir.

The CHAIRMAN. Did you call for protection upon those troops or upon any official at any time?

Mrs. WRIGHT. On our first raid we called upon the governor of San Luis Potosi for protection, and his answer was, "We can not protect ourselves. Do the best you can." We never had any protection from the Mexican Government or from our own Government—we were told we couldn't have, and if we saw conditions were too bad, to get out.

The CHAIRMAN. That is, you were told by the American Government to get out?

Mrs. WRIGHT. Yes, sir; that was all the protection we ever had in Mexico.

The CHAIRMAN. Did the Mexican officials tell you to get out?

Mrs. WRIGHT. No, sir; we finally made our escape. They had taken practically all of our stock, and clothing, and food, and, of course, under the conditions we were desperate. The next thing was to get out. The roads were going to pieces between Tampico, and all of the roads to San Luis Potosi. So we made our way, myself and my daughter, accompanied by two Americans, 18 miles to a daughter who lived at San Mateo, Mexico, and we went there with the hope of catching some train out to the States. We made it, but were attacked on the way but ran the gauntlet safely—they were kept off by guns and revolvers and, of course, we put our hands in our pockets—

The CHAIRMAN. Well, who used the guns and revolvers in repelling the attack?

Mrs. WRIGHT. Two gentlemen friends and Americans, Mr. Speedy and Mr. Holguin. Well, we stopped for 10 days. Trains were coming occasionally, a passenger train with refugees, as many as it would hold. At last we got on a train, got into Tampico—it took two days and a night to make this trip—it usually takes nine hours to make the trip. We got in there, there wasn't standing room in the hotel;



thousands of refugees were begging and pleading to get out anyway, as fast as they could.

The CHAIRMAN. When was this?

Mrs. WRIGHT. In June, the 25th of June, 1913. At last we got transportation and boarded a German vessel, a lumber vessel.

The CHAIRMAN. On what vessel?

Mrs. WRIGHT. Pardon me, I have forgotten the name.

The CHAIRMAN. Well, what nationality?

Mrs. WRIGHT. A German—German, German vessel—74 of us, and we arrived in Galveston after four days, a terrible storm—a terrible storm—we drifted several days, four days and three nights safely.

The CHAIRMAN. You reached Galveston?

Mrs. WRIGHT. Yes, sir; safely.

The CHAIRMAN. Did you return to Mexico at any time?

Mrs. WRIGHT. Yes, sir; after two years I went back. I sold my place—and in the meantime Mr. Wright died—sold our place to a Mexican, an intelligent Mexican.

The CHAIRMAN. Did Mr. Wright remain in Mexico when you came out?

Mrs. WRIGHT. Yes, sir; for a while; six weeks after we left he was there and very ill; he landed in New Orleans, he got out more dead than alive, he lived six days after he had arrived in Texas. After two years I went back, accompanied by my son-in-law's brother, to look after my business the best I could. Well, as I went into Mexico, into the State of Tamaulipas, they burned the bridge. We passed over it; that cut us off entirely at Tampico. I arrived at my son's home and stayed there six weeks. Two weeks prior to that time the Villistas had taken everything from Ciudad Porfirio Diaz to San Luis Potosi, down as far as Cardenas, they controlled everything; and the report was they were coming—they were coming by the thousands—and, of course, as they would go into these haciendas, they would camp there, and stay there as long as there was anything there to destroy.

The CHAIRMAN. Where were the federal troops, if any?

Mrs. WRIGHT. The federal troops? I couldn't tell you where, I don't know; we only knew of the Villista movements. Well, they came in one afternoon—I would like to tell you this little incident, while I experienced it all myself—they came, 7,000 of them; they cut the wires; they drove over 4,000 head of horses into this field—

The CHAIRMAN. You mean they cut the fence wires?

Mrs. WRIGHT. The fence wires, and they turned this stock, these horses, in themselves, that they drove in themselves, they were driving them; they turned them into these beautiful orange and fruit trees, you may say this orchard; they were like blackbirds, all over the earth, so we ran, fled, we were frightened, and attempted to get in the back of the house and go into the mountain, but the earth was simply covered with them, they were everywhere, so, therefore, we ran into the house, as my son said, "and close the doors and don't show your faces." We did so. In the meantime he had a hearing with the colonel of this company; they rode into his yard, unsaddled their horses; they demanded that he open his store; they took what they chose—they didn't leave one grain of sugar or coffee; they simply took what they got their hands on. He got them finally to come below the hill by the railroad to get them out of his yard. He also

told him that his wife and mother-in-law were there, and he would be glad if they would protect us under the circumstances. He told him, "I will do the best I can, but in a vast army like this it is hard to control the bad man in the army. You had better get them away." How were we to get them away? The roads were cut, the bridges were burned, we were at the mercy of those demons—for they are all that, there are no good ones alive. Six weeks of holy terror we stayed in that house, and they arrested what they would call bad, very bad men. My son had about 150 men employees on the place; they impressed them. They brought eight girls there; I saw them.

The CHAIRMAN. Mexican girls?

Mrs. WRIGHT. Yes, sir; beautiful and young; 16 and 18 on up; they penned them up like they would cattle, and held them as I left there; they took as many women as they chose out of the peon—the working class—to work for them, and took them off, in fact. Then in about two weeks after the Villistas came, 8,000 more came; they planted themselves on this plantation, on this hacienda; they killed the milch cows as they drove them into the milking pen, and the little calves also. They demanded eight fat cattle every morning to be brought up to feed them, although they didn't need it—they had cars and cars lined up with corn, heaping and poured in just loosely in those box cars; they had coffee; had everything good to eat, and an abundance of everything.

The CHAIRMAN. Where did they get their supplies, if you know?

Mrs. WRIGHT. Really, I don't know. I suppose they took a great deal of it off from those haciendas; moreover, when they went out into town—or went out into the interior of the country, they took every animal, every cow, and everything—they cleaned up everything as they came down. Well, this thing was getting pretty bad—we were saved, but, of course, were uneasy. So it was reported that the Carrancistas were coming; and all the time the supposition was that we would likely be in the midst of the battle, which we were—the Carrancistas approached from the west; the Villistas were on the east: this house—this residence was in the midst of the battle for four hours; they fought like demons—or as Mexicans fight.

The CHAIRMAN. Were you at the house at the time?

Mrs. WRIGHT. We placed our safety in mattresses, and put them together and lay under the mattresses for four hours; the bullets crashed through the house, tore the furniture, split things all to thunder, and yet we escaped—we escaped without one injury. And so this fight lasted for four hours and the Villistas gained the day; the Carrancistas retreated. So we stayed there then for three weeks longer; had no means of getting out, and, of course, in suspense.

The CHAIRMAN. You received no personal injury from the hands of the—

Mrs. WRIGHT. None whatever; no, sir—none whatever. But at this time that I was at my daughter's the raids were going on at my home; they were carrying off mules, and as we ground our cane, as we made up our crops; they carried it all off—we had almost ended that season's grinding, but they took it off as we made it, and told us to go home. I made my way home through nine States, riding in box cars with greasers—Mexicans—and glad to do it, glad to come; and arrived at El Paso, Tex., more dead than alive, I must say. To-

day my place is utter ruin; there is not a board left there; there is not anything left there; the lands have grown up into brush and trees, and the houses are gone; the furniture is gone.

The CHAIRMAN. You say you had oranges growing on the place?

Mrs. WRIGHT. We had lovely fruit of all kinds and magnificent fruit—oranges—bananas were wild—lemons.

The CHAIRMAN. What has become of the fruit orchard?

Mrs. WRIGHT. What has become of it? Well, in the first place, they cut the fences—their cattle came in and destroyed these things, and so these people couldn't care for it—at least, they cut them down and destroyed them—cut them down, and the homes were burned, while my home was never burned; a part of my crop was and my orchard and garden.

The CHAIRMAN. I suppose the weeds growing up in your orchard that the fire burned the weeds and destroyed the trees?

Mrs. WRIGHT. No, sir; I don't suppose it would; they never grew there; it was perfectly bare, as clean as this floor.

The CHAIRMAN. Well, how did they burn the orchard?

Mrs. WRIGHT. Well, they chopped the trees down and piled it dry—it would readily burn, and especially banana trees.

The CHAIRMAN. Have you ever made any claim for loss—damage?

Mrs. WRIGHT. I have just sent—a few weeks ago, a few days ago—my claims into the Secretary of State.

The CHAIRMAN. There has been no offer from the Mexican Government or authorities to remunerate you in any way for your loss?

Mrs. WRIGHT. None whatever.

The CHAIRMAN. What was the amount of the claim which you filed?

Mrs. WRIGHT. It was forty-eight thousand and some odd dollars. I have this year's loss to put in yet—I mean 1919.

The CHAIRMAN. That has been filed with the department?

Mrs. WRIGHT. Yes, sir.

The CHAIRMAN. The story which you have just repeated to us represents shortly what you desire to say to us?

Mrs. WRIGHT. Yes, sir. My experience is like a book; I would not try to tell it all. The experience of my son, who lived there 15 years, I could tell his experience, I could tell the experience of any, but that would take too long. I have told you in a little way, but I have not told you all.

The CHAIRMAN. This battle that you spoke of occurred in 1915?

Mrs. WRIGHT. 1913, June 25.

The CHAIRMAN. That was the battle between the Villistas and the Carrancistas?

Mrs. WRIGHT. Yes, sir.

The CHAIRMAN. That was prior to the recognition of Carranza by this Government?

Mrs. WRIGHT. Yes, sir, I think; yes.

The CHAIRMAN. The Villistas and the Carrancistas were then cooperating—acting together?

Mrs. WRIGHT. Yes, sir; they held that convention or met at Aguascalientes just previous to this battle.

The CHAIRMAN. This was just after the convention at Aguascalientes when the Villistas and Carrancistas split?

Mrs. WRIGHT. Yes, sir.

Mrs. BAILEY. His family are now with me. They made their way to me, and his widow is here with me to-day.

The CHAIRMAN. You say your brother disappeared?

Mrs. BAILEY. Yes, sir; my brother disappeared. He left Valles for San Luis Potosi, and at San Luis Potosi the consul at that time gave him the means and all the necessary papers to carry him through to El Paso. They had to come up by the way of Aguascalientes owing to the fact that there was no other way of communication at that time. There he had to wait for the night train, and he went to a rooming house. In the afternoon he went out looking for a hack in order to take his family to the depot, for his wife was in very bad health and his children were too small to walk—two little boys; I had them here with me Tuesday. He went away with another man, an American who was traveling with him, a Mr. Harmon, and my brother was named Willis. They went in order to get this hack to take the family to the depot, and they were never seen or heard from from that day to this. I mention that fact on account of my brother being my manager on my ranch at a salary of \$1,200 a year; he was managing my ranch at this time, and was forced to leave it on account of the conditions.

The CHAIRMAN. Where were you at that time?

Mrs. BAILEY. I was here in San Antonio with by husband. When we were married in 1911, in March, he came away from there and went to California, and went to visit his people on the way. We arrived here with the intention of going back to Mexico, but conditions were so bad we hesitated, and still hesitated, and are here yet, and in the meantime everything has been lost for the want of some one down there, and if some one had been down there they might have been lost also.

The CHAIRMAN. While you were there personally were you subjected to any indignities, or did you lose any property?

Mrs. BAILEY. Never, nothing at all up to the time that President Diaz was sent out of the country or went out of the country, up to that time we never had any trouble in any respect, we were perfectly safe, day and night, at any place.

The CHAIRMAN. After that time?

Mrs. BAILEY. Well, I did not experience it, because I came away in 1911, and had no personal experience, my knowledge comes from what has happened to my family only.

The CHAIRMAN. Your sister-in-law is here?

Mrs. BAILEY. Yes, sir; she is here.

The CHAIRMAN. She remained in Mexico with her husband, did she?

Mrs. BAILEY. Yes, sir; she remained there, they were on my ranch as my managers in Mexico, they were taking care of my property for me.

The CHAIRMAN. Have you made any claim for damage?

Mrs. BAILEY. Not yet; no, sir.

The CHAIRMAN. Do you estimate your damage as a total loss; that is, your entire investment?

Mrs. BAILEY. I estimate my damage not only the money I put into it, but what I might have gotten out of it up to this time.

The CHAIRMAN. The interest on it?

property and did everything in order to improve it in a modern way; I bought modern implements and everything and started out to work my property.

The CHAIRMAN. Farming?

Mrs. BAILEY. Yes, sir; farming principally; a little cattle.

The CHAIRMAN. Were there any other Americans in that neighborhood?

Mrs. BAILEY. Yes, sir; there were quite a number of Americans.

The CHAIRMAN. What were they doing there?

Mrs. BAILEY. Principally farming.

The CHAIRMAN. Was it a colony of Americans?

Mrs. BAILEY. Why, not exactly where we were living; they were not colonized; there was a colony near us, but we did not belong to any colony.

The CHAIRMAN. What was the name of that colony?

Mrs. BAILEY. Los Platanos.

The CHAIRMAN. Approximately, how many families constituted that?

Mrs. BAILEY. I will tell you I really don't know, for at the time this was formed I was not there, and most of them had already left.

The CHAIRMAN. How many Americans were living in that neighborhood, approximately, of course?

Mrs. BAILEY. Well, I could not truthfully say that I knew; 10 or 12 families scattered throughout that district.

The CHAIRMAN. Where are they now? Do you know?

Mrs. BAILEY. They have moved out and gone to different parts of the United States; I don't know; I am not in touch with scarcely any of them now.

The CHAIRMAN. Do you know anything about the members of this colony that you spoke of; have they moved out?

Mrs. BAILEY. Yes, sir; they have moved out, mostly; they were mostly from Oklahoma, I think, and Warner was the name of the man who got up this colony, the Warner Colony, at Los Platanos.

The CHAIRMAN. Were those neighbors of yours people of wealth or—

Mrs. BAILEY. No, sir; not anything extra; no, sir. They were just people who had acquired a little money and had gone there with the illusion that most people have when they go to that place.

The CHAIRMAN. Approximately how much money did you and your family invest there?

Mrs. BAILEY. I invested \$15,000, all told. That was a separate investment.

The CHAIRMAN. Was that all you had?

Mrs. BAILEY. That was all I had; that is, I invested it in the lands and improvements; not all in lands, however.

The CHAIRMAN. How much have you gotten out of it?

Mrs. BAILEY. I have not gotten a thing, only the loss—the murder of my brother and the destruction of my property, belongings.

The CHAIRMAN. When did the murder of your brother occur?

Mrs. BAILEY. Well, we call it a murder because he disappeared on his way to the United States with his wife and family on the 1st day of July, 1915.

The CHAIRMAN. What became of his family?

Mrs. BAILEY. His family are now with me. They made their way to me, and his widow is here with me to-day.

The CHAIRMAN. You say your brother disappeared?

Mrs. BAILEY. Yes, sir; my brother disappeared. He left Valles for San Luis Potosi, and at San Luis Potosi the consul at that time gave him the means and all the necessary papers to carry him through to El Paso. They had to come up by the way of Aguascalientes owing to the fact that there was no other way of communication at that time. There he had to wait for the night train, and he went to a rooming house. In the afternoon he went out looking for a hack in order to take his family to the depot, for his wife was in very bad health and his children were too small to walk—two little boys; I had them here with me Tuesday. He went away with another man, an American who was traveling with him, a Mr. Harmon, and my brother was named Willis. They went in order to get this hack to take the family to the depot, and they were never seen or heard from from that day to this. I mention that fact on account of my brother being my manager on my ranch at a salary of \$1,200 a year; he was managing my ranch at this time, and was forced to leave it on account of the conditions.

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The CHAIRMAN. Do you estimate your damage as a total loss; that is, your entire investment?

Mrs. BAILEY. I estimate my damage not only the money I put into it, but what I might have gotten out of it up to this time.

The CHAIRMAN. The interest on it?

Mrs. BAILEY. Yes, sir; interest and salary I was paying my brother and the approximate income from that property with his management, because we had two years where we got enough out of it to know what we could have gotten.

The CHAIRMAN. What was the income which you derived during those two years?

Mrs. BAILEY. It was approximately about \$1,200 a year; not less than that; that was the average, because it was cane principally that they—

The CHAIRMAN. Sugar cane?

Mrs. BAILEY. Yes; sugar cane; and, of course, we know that is a source of revenue; cane is, in Mexico.

The CHAIRMAN. Do you have any other statement that you desire to make?

Mrs. BAILEY. No, sir; not particularly, unless you care to hear anything especially.

The CHAIRMAN. Thank you very much.

#### TESTIMONY OF MRS. FELICITAS B. WILLIS.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Mrs. LOLA C. BAILEY. Senator, if you do not object, I would like to stand here by her, because her English is not very perfect.

The CHAIRMAN. Certainly. What is your name?

Mrs. WILLIS. Felicitas B. Willis.

The CHAIRMAN. You are a native of Mexico, Mrs. Willis?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. Where is your husband; do you know?

Mrs. WILLIS. I don't know.

The CHAIRMAN. When did you last see your husband?

Mrs. WILLIS. In Aguascalientes.

The CHAIRMAN. What year; do you remember?

Mrs. WILLIS. 1915.

The CHAIRMAN. Under what circumstances did you last see him?

Mrs. WILLIS. Why, they went to the depot to take us, my husband and an American, Mr. Harmon, both Americans, and they never came back.

The CHAIRMAN. You were going to take the train; were you?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. Where were you coming—coming to the United States?

Mrs. WILLIS. Coming to the United States.

The CHAIRMAN. Where were you coming from?

Mrs. WILLIS. Coming from Valles, San Luis Potosi.

The CHAIRMAN. And you got as far as Aguascalientes?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. You were going to take the train there for the United States?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. And your husband was making arrangements to take you to the depot?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. He was in company with another American, you say?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. And you have never seen him since?

Mrs. WILLIS. No, sir.

The CHAIRMAN. Did you make any inquiry as to what became of him?

Mrs. WILLIS. Yes; I stayed in Aguascalientes six days seeking information.

The CHAIRMAN. You have never been able to hear anything of him?

Mrs. WILLIS. No, sir.

The CHAIRMAN. Did he have any money on his person when he left?

Mrs. WILLIS. Yes, sir; he had; I don't know how many dollars in change he got.

The CHAIRMAN. He had money for the expenses?

Mrs. WILLIS. About \$500 in cash.

The CHAIRMAN. Why were you coming out of the State of San Luis Potosi at this time; what was the reason that you were leaving at that time; just on a visit?

Mrs. WILLIS. No; just to pass coming from Valles and Cerritos, because it was too many bandits, I came one day and stayed in Cerritos eight days, and then took the train for San Luis Potosi.

The CHAIRMAN. Then you were leaving the place where you had been living because of the disturbed conditions in Mexico?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. You were living on the ranch that belonged to Mrs. Bailey?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. She is your sister-in-law, is she?

Mrs. WILLIS. Yes, sir; she is my sister-in-law.

The CHAIRMAN. Who was in charge of that ranch, who was the manager of the ranch?

Mrs. WILLIS. My husband.

The CHAIRMAN. The brother of Mrs. Bailey?

Mrs. WILLIS. The brother of Mrs. Bailey.

The CHAIRMAN. How long had you been living with him on that ranch, approximately about how many years?

Mrs. WILLIS. Six years.

The CHAIRMAN. You say that you were leaving because of the disturbed conditions?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. In San Luis Potosi?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. What do you mean by disturbed conditions, in what did the disturbances consist, bandit raids?

Mrs. WILLIS. Bandits, all kinds of bandits, Villistas and Carrancistas and Indians and everything else, and we could not stay on the ranch because my husband has no work, all of the bandits take everything.

The CHAIRMAN. The bandits took everything you raised and would not allow him to raise crops?

Mrs. WILLIS. Yes, sir.



The CHAIRMAN. Did they take your stock, work stock?

Mrs. WILLIS. Everything was taken away.

The CHAIRMAN. Was there any destruction of implements or fences, improvements?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. You say the bandits were Villistas and Carrancistas Indians?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. The Carrancistas did not protect your property?

Mrs. WILLIS. No, sir.

The CHAIRMAN. Were there any other soldiers anywhere in the neighborhood, stationed at Valles or anywhere else?

Mrs. WILLIS. No, sir.

The CHAIRMAN. They were just riding past; coming through the country?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. And you found no difference in the treatment which your property received at the hands of the Indians or the Villistas or the Carrancistas; they all treated you alike?

Mrs. WILLIS. Yes, sir.

The CHAIRMAN. You have never heard of your husband since you saw him last?

Mrs. WILLIS. No, sir.

The CHAIRMAN. How many children have you?

Mrs. WILLIS. Two.

The CHAIRMAN. How old are they?

Mrs. WILLIS. One is 10 and the youngest one 8.

Mrs. LOLA C. BAILEY. Now, they had three at the beginning of this trouble; one little girl who we can claim died for want of attention—medical attention—suffering from complications because of smallpox. She was taken to Tampico and they could not get medical attention on account of their being poor; doctors do not work for their health in that country. The child died. I am speaking of this disappearance; she can not relate it; she can not speak much; and I know much more. There was one time when my brother had to leave this ranch on account of bandits and seek work in Tampico; he worked for a dredging company for a while on account of the revolutionists, and he was thrown out of employment, and his wife joined him there. She stayed on the ranch until one morning they were notified the Indians were coming. There were several troops of Indians over in there that were headed by these partly educated Mexicans, and they would cause commotions among the Indians and make them believe they had a right to do that. The Indians did not cause the trouble; it was these different parties.

The CHAIRMAN. Who were those different parties?

Mrs. BAILEY. Well, they were just nothing; they would just rise up; they were nothing; they were a band of Indians raiding on the other side of the river and hiding out; and he was with Catron that was killed, and he came and notified them to get out, and in less than two hours he had them on a wagon with a yoke of oxen hitched to it, pulling out for Valles, where they arrived late in the afternoon; and just as they got out of hearing of the ranch the Indians struck it. There was not anything that could be knocked down and pulled up or

burned they did not destroy. She never went back to the ranch—not with him—she joined her husband in Tampico, and there is where her child died.

The CHAIRMAN. They, of course, had to leave everything at the ranch; they had no means?

Mrs. BAILEY. Yes, sir; at the mercy of the Indians. The brother who is down there has been hiding out for months with these Catron brothers.

The CHAIRMAN. That was the brother who disappeared at Aguascalientes?

Mrs. BAILEY. No; that is the one that is still there. That one that disappeared at Aguascalientes is another brother. I have one there now who has never left Mexico.

The CHAIRMAN. Where is he?

Mrs. BAILEY. Out on my ranch, 3 miles from Valles. My brother was starting, and resolved it was better for them to come to the States, because they had no protection there—that is, he is not given American protection—so he started out with his family, and arrived at Aguascalientes on the 1st of July, 1915, and there was the place where he disappeared.

The CHAIRMAN. Where was your other brother?

Mrs. BAILEY. He remained at the ranch, and he did not know about this disappearance for about three months, because we had no communications. She remained there six days and investigated; she notified several of the generals that were there at the time—at the time the Villistas were there. She notified Gen. Urbino.

The CHAIRMAN. Tomas?

Mrs. BAILEY. Yes, sir. His secretary was that one-legged, one-armed Orozco, and she notified him, and he denied any knowledge of having seen the Americans, because she went by the name of the Americans, she always asked for the Americans, never asked for her husband alone. She asked for the other man also. She also went to the governor, Benito Diaz, and she got the same answer. The American consul was too sick to be seen, and she never got to see him at all. I guess it was quite convenient to be sick about that time.

The CHAIRMAN. What was his name?

Mrs. BAILEY. I do not know. I know she could not see him anyway, so then the governor asked her what she wanted. She had heard the remark by Urbino, the secretary, to the effect that probably these men were in Chihuahua. You know that was the saying they had when they executed them, that they have gone to Chihuahua, that was the way they had to express they were gone, they had killed him. She didn't know that, and I did when she told me about it—so she took her cue from that any asked for transportation to Chihuahua City; so he gave her transportation, where she arrived in about three or four days after she started; I do not know how long. She was on a troop train and was the only woman on it for about three days, and she arrived there and went to the American consul, Marion Letcher, American consul there at the time, and she appealed to him for help, and he was preparing to leave, and he communicated with the consul in Aguascalientes and got a denial also of the report, and he took note of all she told him, and then he permitted her or told her, advised her to go and search the prisons, if

she wanted to, and she got permission to search all the prisons, all the places where a man could be hidden or imprisoned, as she had done in Aguascalientes. He asked her where she wanted to go, and she said to Juarez, and he gave her \$20, and she went to Juarez with her two little children. She arrived there on the morning of the 15th of July, arrived there at 5 o'clock in the morning. Rooms were \$8 to \$10 a day, and therefore she was not in very good shape to rent a room, so she stopped out under the trees on the edge of acequia, Juarez, Mexico. The immigration officials there took charge of her. She was in hot water all the time she was there; they would not let her go, said they disregarded everything she asked, every question made they refused to hear her and positively said that they did not believe any of her statements. She went to the American consul there, Edwards is his name—by the way, I know the gentleman—and he refused to hear her, told her positively he could not do anything for her, she could go further to get her information. So one thing brought on another, and finally the Red Cross Chapter in El Paso, Tex., got hold of the thing, and Mrs. Del Campo came over in her automobile and picked the little girl up after a word fight and almost a fist fight with the officials and brought her over into El Paso and gave her in charge of a family that agreed to take charge of her in case they could get her across there, until she could get into communication with us. In the meantime we had moved to Fort Stockton, and this telegram was sent to us from here to Fort Stockton. It was just three weeks from the time we got the telegram until the red tape could be unwound and she was sent to us, and when she arrived there she was an invalid, and she had to be operated on.

The CHAIRMAN. That was on account of the mistreatment?

Mrs. BAILEY. Mistreatment and the want of attention at the proper time and the proper place. My husband got four sheets of paper about that long [indicating] with about 500 questions to fill out, that were all to be sent back to El Paso before they would turn her loose at all, and when he told them who he was, a Spanish War veteran, they bundled her up and sent her to us that same day, and the Red Cross saw to it that she got what she needed for her trip.

The CHAIRMAN. Very much obliged to you.

I think that we can make a little progress by taking a recess just at this moment. The committee will be in recess till 2 o'clock.

(Thereupon, at 12.15 o'clock p. m., the committee recessed until 2 o'clock p. m. of the same day.)

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THURSDAY, JANUARY 15, 1920,  
2.30 o'clock p. m.

### TESTIMONY OF P. W. WARNER.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the committee, duly authorized thereto.)

The CHAIRMAN. Where do you live, Mr. Warner?

Mr. WARNER. San Antonio.

The CHAIRMAN. Are you an American citizen?

Mr. WARNER. Well, I should say I was; I was born and raised in the United States. I am of German parentage, though; my people came from Germany in 1832, I believe it was.

The CHAIRMAN. Where were you born and raised?

Mr. WARNER. Wisconsin.

The CHAIRMAN. What is your age?

Mr. WARNER. I will be 71 next month.

The CHAIRMAN. Where were you in 1860 to 1865?

Mr. WARNER. I was in Wisconsin, I was quite a boy; but during the Civil War I was one of five brothers that enlisted in the Civil War. There were four of us under 20 years of age, and we served to the end of the war. The last year I served with Gen. Custer.

The CHAIRMAN. Then you have a right to claim American citizenship?

Mr. WARNER. Well, I believe so.

The CHAIRMAN. Mr. Warner, have you lived in Mexico at any time?

Mr. WARNER. Yes, sir. I would like the committee to insert a statement in the records that I appeared before this committee on a subpoena by order of the committee.

The CHAIRMAN. Certainly, that is understood.

Mr. WARNER. And also that I have nothing against the people of Mexico; they have my respect, and I have lived amongst them and I have a very high opinion of them, was always treated well by the people of Mexico. When I say that, I mean to say the same as I would say for the United States. I do not refer to the I. W. W.'s, or the Bolsheviks; I am talking about the people of the country as a whole.

The CHAIRMAN. I do not think you will find any quarrel with this committee for those sentiments, Mr. Warner.

Mr. WARNER. I want it understood that I am not against the Mexican people as a nation or a class.

The CHAIRMAN. What part of Mexico were you?

Mr. WARNER. I was located 60 miles west of Tampico, on what is called the Atascador, and I would like to explain about that. One of your witnesses explained about a Warner colony. That is Los Platanos. I had nothing to do with it.

The CHAIRMAN. That is another proposition?

Mr. WARNER. Another proposition; and I had no charge of any colony, but I was general agent of the Atascador and had charge of the settlement and getting the people to settle. And another explanation I would like to make in regard to the colonies. Mr. Blalock testified his colony was made up of an association of farmers from Oklahoma, the same way as the San Dieguito colony. They bought their land; each one owned a certain interest. The Atascador colony was different. It was 135,000 acres, and then it was colonized and settled along as the people came down and bought their lands, and when I had charge of it we had to bring the people down there and they selected the lands themselves and it was sold to them like Blalock.

The CHAIRMAN. What was the average size of the individual holdings in the Atascador?

Mr. WARNER. Well, it ran all the way from 50 acres up to 3,300.

The CHAIRMAN. What was the class of the colonists?

Mr. WARNER. They were all farmers.

The CHAIRMAN. Where were they from, generally?

Mr. WARNER. Generally, from Nebraska, Iowa, and Illinois, and a great many from Texas.

The CHAIRMAN. Approximately how many did they number?

Mr. WARNER. I could not say exactly, but I have a list of all our colonists up to 1910, and I just merely figured this up to-day and I could give you an idea. [Producing paper.] We had something like 305 that you might say was heads of families; that is, men that came down there and bought, a great many of them brought their families down and others just bought the land and wanted to move down, especially those that bought after 1910, and you might say we had something of about 500 people in the families, of course they would number three or four to the family. They were settlers on there, and when we would have a church or social gathering I counted up as high as 185 men, women, and children.

The CHAIRMAN. Did you have churches?

Mr. WARNER. We had a church.

The CHAIRMAN. Schools?

Mr. WARNER. Schools, and the farmers were very successful in farming. In fact, Gutierrez, the industrial agent for the Government of Mexico on the railroads, told me we had the most successful colony there was in the Republic. We had plenty of transportation and good soil and rainfall of about 50 or 60 inches, and the farmers did well.

The CHAIRMAN. Did the colonists, any of them, employ labor?

Mr. WARNER. Yes, sir.

The CHAIRMAN. What labor, native labor?

Mr. WARNER. All native labor. I employed from 25 to 200 men putting the land under cultivation.

The CHAIRMAN. What were these people being paid when you went there, for similar work?

Mr. WARNER. The first bunch I employed when I shipped out a car load of lumber and stuff to put up my ranch house—there were six of those there—and I set them to work on the foundation, and I paid them 75 centavos a day, and they said they had just come from a hacienda up north—about 25 miles north—where they were getting 20 centavos a day, and I paid them 75 centavos. That was the universal wages on the Atascador for the next five or six years—75 centavos a day.

The CHAIRMAN. How did that compare with the other wage of the other natives throughout the country there?

Mr. WARNER. Twenty-five centavos most of the natives got.

The CHAIRMAN. Most of the natives working for natives got 25 centavos?

Mr. WARNER. Yes, sir.

The CHAIRMAN. And you paid them 75 centavos?

Mr. WARNER. Yes, sir.

The CHAIRMAN. Did their children have any school advantages there?

Mr. WARNER. Well, the natives would only come and work for us occasionally and some of them worked three or four years, but they never seemed to be interested in schools, some of them could read and write, the older people.

The CHAIRMAN. Where are those colonists now?

Mr. WARNER. They are scattered all over the country; there is only one family living down there; they are Germans, and they have not been disturbed. The rest of them have left the colony and the thing has all gone back to grass and weeds. I saw Capt. Hunter, who came from there last week, and he said he had been out on the ranch, and he said the things had been taken away and the wire was gone from the fences, and he stopped at Mr. Weeder's house, and the house cost something like \$5,000; it was made of brick he manufactured there—2-foot walls, a very large house. He was a Pennsylvania German, and I said, "They did not surely tear that down?" He said, "No; but they took all the lumber and the roof off." That was a galvanized steel roof. He said they had their shacks built in the corner of the wall and he said that the Mexicans had possession of the Atascador and were squatting on it, claiming they were going to hold it; and, under the Mexican law, where they improve for six months they claim they have a right to possession. I would like to say before this committee one thing about our title. In going down there I had charge of our county records in Nebraska, back in the 80's I was county clerk and recorder. I knew something about records and consequently when I went down there, the first thing I wanted to look out for was titles to land, and the conditions, and the safety, etc.; and the Mexican railways, through the authority of the Government, circulated literature all through our country and all up through the United States encouraging and inducing people to come down and settle on their land and improve the same, as we did it ourselves after coming out of the Civil War. I went to Nebraska and people were living in sod houses and dugouts and I knew something about pioneering. Then I went on west, farther west, and opened up land in Nebraska. Consequently, when I went down to Mexico I knew just what to do. I bought 20 four-mule teams and set my boys to work. We hired Mexicans and ran out 800 acres of prairie land the first year we were there. We planted it in corn. The literature they circulated showed that the life and property was perfectly safe and titles were good, etc., and I looked into that and found it all true; and I want to say this, that we never had any trouble in our colony anywhere in that neighborhood, and I think every American that lived in Mexico will say the same—that it was the most peaceful country that I ever lived in.

The CHAIRMAN. When was that?

Mr. WARNER. All the way from 1907 to 19—well, in 1913 they began to have occasional bandit raids.

The CHAIRMAN. When did you come out?

Mr. WARNER. I came out of there in December, 1913.

The CHAIRMAN. Why?

Mr. WARNER. Well, I had my family up at Houston, and I thought I would go up and pay them a visit. I got up there and took sick, and aimed to go back, and I had a good big crop in, and about 200 head of Jersey hogs and pigs and some other stock, and I sold my mules to the oil company before that on account of the raids. Before I got ready to go back they got to scrapping and fighting there and consequently I never went back.

The CHAIRMAN. Had there been any disturbances before that, any raids?

Mr. WARNER. Nothing more than an occasional band of what called themselves Constitutionalists, armed with 30.30's, Winchesters.

Miss OLLIE WARNER. Louder, papa.

Mr. WARNER. Nothing more than occasional raids of what called themselves Constitutionalists, they held up our train one time when I was going out to the ranch from Tampico and when they were robbing the express, I went out and talked to them. At that time they never molested Americans, and in fact they seemed to like us. We took no sides in their politics—both factions.

The CHAIRMAN. Both factions? What factions do you mean?

Mr. WARNER. Well, they called themselves Constitutionalists and Huertistas. The Huertistas in 1913 came in power there in Mexico and had Federal troops there protecting the people and occasionally one of these bands would come along and kill these Constitutionalists. When this train was held up I went out and mingled with them and talked to them, and I found one of the men that had worked for me, and I said, "Don't you know if Huertistas troops catch you holding up passenger trains they will hang every one of you?" He said, "No; we are revolutionists; we are making war on the Government." They never molested us in any way at all until they took Vera Cruz. One time they came to my house and I had my watch upstairs, I was away from there, we never locked our doors, we never had occasion for it. They took my rifle and the commissary there. Our Mexicans were more afraid of them than we were. When we had an idea that the revolutionists were likely to come they would hide out in the brush.

The CHAIRMAN. You say you sold your mules to the oil company. Why did you sell your mules?

Mr. WARNER. Well, I could see they were making these bandit raids in there and I was afraid I would lose them. Our land joins the Doheny land on the west. In fact, I think it is the original estate. Our abstract goes back to 1870, the old Spanish grant. They made a raid on the Doheny property and got away with them up as far as Xicotencatl, Capt. Hanson's ranch, and they caught them and brought them back.

The CHAIRMAN. Did you know where Capt. Hanson's ranch was?

Mr. WARNER. I have never been on the ranch, but I knew it.

The CHAIRMAN. Did you know the other colonies in that neighborhood?

Mr. WARNER. Yes, sir.

The CHAIRMAN. Aside from the Atascador?

Mr. WARNER. Yes, sir.

The CHAIRMAN. How many colonists were there?

Mr. WARNER. Well, just make a rough guess, 15 or 20, but they did not have very many people on them except the Blalock colony and the San Dieguito and ours. They would buy a large tract and bring people down there and settle it.

The CHAIRMAN. Subdivide it?

Mr. WARNER. Yes, sir.

The CHAIRMAN. Were you financed by any company or corporation?

Mr. WARNER. No, sir.

The CHAIRMAN. The colonists went there as individuals?

Mr. WARNER. We had no connection whatever because when we went there the only oil production was what Doheny was doing.

The CHAIRMAN. You never had any connection with Doheny?

Mr. WARNER. No, sir.

The CHAIRMAN. They did not finance you?

Mr. WARNER. No, sir; not at all. One of our neighbors dug a well in 1909 and there was so much coal oil in it they could not use it and he had to dig another well.

The CHAIRMAN. Did any of your colonists get any money for their property when you left there?

Mr. WARNER. No, sir; not a single one.

The CHAIRMAN. Have you ever been able to sell out?

Mr. WARNER. No, sir.

The CHAIRMAN. How much did you lose there?

Mr. WARNER. Well, it is pretty hard to tell, I went down there and the first season I put in about \$6,000 and I was out the improvements, etc., the balance of the time, about \$15,000 more.

The CHAIRMAN. Are you a wealthy man?

Mr. WARNER. I do not think I am. Everything I have got is down there, and there is nothing there they tell me.

The CHAIRMAN. How about the other colonists, Mr. Warner?

Mr. WARNER. Well, they are in the same condition.

The CHAIRMAN. Well, were they wealthy, independent families?

Mr. WARNER. No, sir; they were all well-to-do, they were well-to-do, most of them, and successful in farming and raising crops, and most of them had brought some means with them, considerable means.

The CHAIRMAN. Well, did they get the means out when they left, or leave them?

Mr. WARNER. Not that I know of. One of my neighbors had about 200 head of cows, Mr. Hornby, and I was talking to his widow up here at Jacksboro and she said she lost them all. Mr. Weeder was working down in the field, that is the young man, he went up there and ran his cattle off, and according to Nieto, this representative of the Carranza Government in Washington, a statement that I see from the papers, that Col. Larga, in charge of the district, had him shot and killed because he was taking his stock.

The CHAIRMAN. Who was that?

Mr. WARNER. Weeder. His parents were about 80 years old. They had 1,100 acres and, if I remember, it was under fence and pretty well improved.

The CHAIRMAN. Do you know a man by the name of Byrd?

Mr. WARNER. Yes, sir; I was well acquainted with him.

The CHAIRMAN. Where was he?

Mr. WARNER. He was on the west end of our colony, about 15 miles.

The CHAIRMAN. Was he one of your colonists?

Mr. WARNER. Yes, sir; he had 3,300 acres on the west end.

The CHAIRMAN. Did he have any means—was he a man of independent income?

Mr. WARNER. Yes, sir; I believe he was. He paid off his land in cash, so I was told, and he had considerable means after that. His family and mine were associated very closely.



The CHAIRMAN. What became of him, is he there?

Mr. WARNER. Mr. Byrd; no. He moved his family—well, he had to leave there after that Vera Cruz excitement and he went to Galveston, and from there he moved his family to Mineral Wells, Tex., and he died up there this last November. He was paralyzed, and I believe he was probably injured in some way.

The CHAIRMAN. You say you think he was paralyzed?

Mr. WARNER. I know he was paralyzed; I was at his house.

The CHAIRMAN. What was the cause of it?

Mr. WARNER. I expect from what the doctor said it was from being pounded over the head by one of the officers there at the station. He got off the car there and he accused him of associating or rather fraternizing with rebels.

The CHAIRMAN. The officer accused him?

Mr. WARNER. Yes, sir; and sent him to Mexico City, and he was there quite a while, and we immediately took the matter up with our consul at Tampico and San Luis Potosi and Mexico City, and then he was sent to Vera Cruz and from there he was sent to Tampico, and then when Wilson shanghaied all the people out of Tampico, his family went out with them.

The CHAIRMAN. You say he was beat over the head?

Mr. WARNER. Yes, sir.

The CHAIRMAN. And the paralysis is supposed to be the result?

Mr. WARNER. Yes, sir.

The CHAIRMAN. What became of his family? Any members of his family left there?

Mr. WARNER. Yes, sir; his wife and one of his sons are down in the oil field now they told me when I was up there this summer, and one of his sons and sister was down at my house in San Antonio about two weeks ago.

The CHAIRMAN. Was any son of his killed?

Mr. WARNER. Yes, sir.

The CHAIRMAN. Who killed him?

Mr. WARNER. He was killed by this—I understand, of course. it is only what I am told and they all agreed—we all agreed on the same story; killed by bandits; by Villistas or Carrancistas; I do not know what they were. He was taken to the next station east of ours and executed there with two or three of his men that he had working for him.

The CHAIRMAN. Executed?

Mr. WARNER. Yes, sir.

The CHAIRMAN. Did he have a trial?

Mr. WARNER. They claim so, I was told by one of the Americans that tried to prevent it—prevailed on the officers to not shoot him. and he said if he did not keep still he would be shot. That was the first station west of Ebano, where the Doheny property is. They were fighting then with the Federal troops at Ebano, and they had their headquarters at this switch there.

The CHAIRMAN. Who was the commander of those troops who were fighting with the Federal troops?

Mr. WARNER. I could not tell you, I could not tell you.

The CHAIRMAN. Who were the Federal troops that you spoke of—Huertistas?

Mr. WARNER. I was just trying to think whether—

The CHAIRMAN. What year was it?

Mr. WARNER. Whether—well, I could not tell you that now.

Miss OLLIE WARNER. 1914, wasn't it, papa?

Mr. WARNER. Oh, it was after that. I think it was in the latter part of 1914, I am not certain though. I do not know whether Huerta had been driven out of Tampico at that time or whether the Carrancistas had it, or whether they were fighting the Villistas or not.

The CHAIRMAN. Then it is hard to tell the difference between them?

Mr. WARNER. Yes, sir.

The CHAIRMAN. It is rather confusing and hard to differentiate?

Mr. WARNER. Yes, sir.

The CHAIRMAN. Gen. Pablo Gonzales was in control there part of the time, was he not?

Mr. WARNER. I believe he was from what I heard. He had headquarters in Tampico.

The CHAIRMAN. Gen. Caballero?

Mr. WARNER. Yes, sir. I believe he was, and Gen. Gonzales was stopping at the large hotel there at Tampico, the new one; I forget the name of it now.

The CHAIRMAN. You do not know what officials executed young Byrd?

Mr. WARNER. No, sir; I do not.

The CHAIRMAN. You do not know who he claimed to owe allegiance to at that particular moment?

Mr. WARNER. No; I could not tell you that. You mean the officer?

The CHAIRMAN. Yes; whether he was a Huertista or a Carrancista or Villista?

Mr. WARNER. Well, I know he was not a Huertista, because he was in power and was fighting those forces, but I was at Houston at the time and I know nothing about that.

The CHAIRMAN. Now, you say that your colony numbered as many as 300 heads of families?

Mr. WARNER. Yes, sir, more than that. That was up to 1914 when this pamphlet was got out, and a great many bought after that.

The CHAIRMAN. The majority of them had their families there?

Mr. WARNER. Well, I would not say the majority. There was something about 200 left on the colony.

The CHAIRMAN. What became of the women and children?

Mr. WARNER. Well, when I was down there I was down to Tampico, and there was a bunch of bandits—three of them, came to one of my neighbors there and attacked him and tied him to a tree and made depredations there on his daughter.

The CHAIRMAN. That was Mr. Gourd?

Mr. WARNER. Mat Gourd. Mat Gourd came from Corning, Iowa. I induced him to come down there and sold him 400 acres of land on the Atascador.

The CHAIRMAN. You say there is one family there now?

Mr. WARNER. Yes. I got a letter from the head man at Tampico in charge of our colony and property there, and he said this German was living out on the ranch and had charge of the ranch house.

The CHAIRMAN. A German?

Mr. WARNER. Yes, sir; a German.

The CHAIRMAN. He has not been molested?

Mr. WARNER. He has not been molested, he has been there now six or seven years.

The CHAIRMAN. And all the other colonists gone?

Mr. WARNER. Every one of them.

The CHAIRMAN. Can you give the committee a list of the names of any of the colonists there? Can you furnish us with the names of any of those colonists?

Mr. WARNER. That were located on the land?

The CHAIRMAN. Yes, sir.

Mr. WARNER. I have a list of them in that book.

The CHAIRMAN. Very well. We will make a list, we will file that.

Mr. WARNER. There is over 300 there.

(The list as produced and identified by the witness, P. W. Warner, was thereupon handed to the chairman and ordered incorporated into the record, and is as follows:)

Alexander, G. W., Milford, Ellis County, Tex.

Anderson, J. A., Corning, Iowa.

Anderson, C. L. and F. J., 3124 Miami Street, Omaha, Nebr.

Anderson, George, Hastings, Nebr.

Acker, D. B., Coco, San Luis Potosi, Mexico.

Auger, David, San Diego, Calif.

Archer, Thomas J., Holland, Tex.

Bates, William, Cliff, N. Mex.

Bolser, W. G., Le Mars, Iowa.

Burkett, Jeff D., N. Mex.

Brooks, C. L., Carson, Okla.

Bynum, J. H., Indianola, Okla.

Boyd, Henry B., Bladen, Nebr.

Barker, Globe, Ariz.

Bagley, W. L., Alta Loma, Tex.

Byrd, W. M., Rodriguez, San Luis Potosi, Mexico.

Barnes, R. E., Coco, Can Luis Potosi, Mexico.

Buck, W. T., Bethany, Mo.

Bradel, Otto, Kingfisher, Okla.

Boldt, Ernest, Calumet, Iowa.

Brasher, J. G., Waxahatchie, Tex.

Brechner, J., Coco, San Luis Potosi, Mexico.

Bogen, Moses, Le Mars, Iowa.

Brandon, J. B., Greenfield, Iowa.

Billeter, P., Fairfax, S. Dak.

Butterbaugh, J. L., Gothenberg, Nebr.

Boone, W. P., Alvord, Tex.

Boone, D. W., Alvord, Tex.

Boone, D. & S., Alvord, Tex.

Carter, Belus, Coco, San Luis Potosi, Mexico.

Cowen, M. E., Tecumseh, Nebr.

Campbell, D. L., North Fort Worth, Tex.

Coffee, Jerry, Coahoma, Tex.

Cole, W. M., Tucson, Ariz.

Chalcraft, M., Albion, Ill.

Colyer, Walter, Albion, Ill.

Coats, J. A., Jackshoro, Tex.

Bullweg, M. J., Cedar Hill, Tex.

Bowser, J. P., Knowles, N. Mex.

Beck, Jane, Hastings, Nebr.

Crosby, G. W., El Paso, Tex.

Cox, A. R., Arcola, Mo.

Clark, W. A., Coco, San Luis Potosi, Mexico.

Davenport, F. W., Watertown, S. Dak.

Dunn, R. F., McGregor, Tex.

Donn, W. B., Woodbine, Iowa.

Donn, F. W., Phoenix, Ariz.

Dalley, E. R., 3740 Corby Street, Omaha, Nebr.

Dovey, John, Hastings, Nebr.

Dawes, E. L., Coco, San Luis Potosi, Mexico.

Duncan, W. S., Coco, San Luis Potosi, Mexico.

Dunn, E. S., Coco, San Luis Potosi, Mexico.

Dunn, L. A., Coco, San Luis Potosi, Mexico.

Damron, J. T., Coco, San Luis Potosi, Mexico.

Duff, J. E., Coco, San Luis Potosi, Mexico.

Davis, W. H., Coco, San Luis Potosi, Mexico.

Damron, J. W., Coco, San Luis Potosi, Mexico.

- Dimmick, W. O., 682½ Bradies Building, Omaha, Nebr.  
 Dimmick, Roy, 682½ Bradies Building, Omaha, Nebr.  
 Davidson, W. G., 358 Omaha National Bank, Omaha, Nebr.  
 Duus, A. M., Le Mars, Iowa.  
 Arnest, C. H., Colorado, Tex.  
 Edwards, J. C., 1400 East Mallory Street, Pensacola, Fla.  
 Englisch, Herman, Scranton, Pa.  
 Emart, E. J., Santa Cruz, Calif.  
 Erskine, W. E., Uvalde, Tex.  
 Elick, V. V., Granger, Tex.  
 Evenson, Edward, Nenah, Wis.  
 Frame, Chas. W., Rochester, Ill.  
 Felgar, D., Newton, Kans.  
 Fausett, S. S., Tucumcari, N. Mex.  
 Fisher, Jacob, Hastings, Nebr.  
 Freeman, W. H., Alvord, Tex.  
 Feeney, Chas. L., Hastings, Nebr.  
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 Holloway, Arthur, Carlshad, N. Mex.  
 Hildebrand, S. M., Hastings, Nebr.  
 Hicks, E. M., Guthrie, Tex.  
 Haitson, A. Va., Hastings, Nebr.  
 Hanks, W. B., Bowie, Tex.  
 Hart, I. N., R. F. D. 2, Eastland, Tex.  
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 Hornback, T. D., Coco, San Luis Potosi, Mexico.  
 Hornback, Hosie, Coco, San Luis Potosi, Mexico.  
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 Hendrix, J. T., Coco, San Luis Potosi, Mexico.  
 Harrison, E. M., Big Springs, Nebr.  
 Hubbard, C. B., Fairplay, Colo.  
 Huestis, G. L., Cisco, Tex.  
 Holt, P. W., Phoenix, Ariz.  
 Hortin, Bertram, Albion, Ill.  
 Hand, W. A., Jacksboro, Tex.  
 Haun, S. M., Whitesburg, Tenn.  
 Herschbach, William, Chester, Ill.  
 Herschbach, F. C., Chester, Ill.  
 Herschbach, Emma L., Chester, Ill.  
 Hall, James W., Waverly, Tenn.  
 Hall, William R., Waverly, Tenn.  
 Hall, Charles W., Waverly, Tenn.  
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 Magill, Mrs. J. G., Guadalajara, Mexico.  
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 Markham, Mrs. C. H., Coronado, Calif.  
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 McKenna, John, Jr., Tyndall, S. Dak.  
 Moores, C. S., Hope, N. Dak.  
 Marrs, W. P., Sabinal, Tex.  
 McCurry, George T., Farmersville, Tex.  
 McCurry, Hubert, Farmersville, Tex.  
 McBride, W. C., Pierce, Colo.  
 Meck, F. H., Omaha, Nebr., care W. O. W.  
 Meck, Geo. S., Omaha, Nebr., care W. O. W.  
 McCurry, H. B., Tate, Tex.  
 Murphy, Robert E., Canal Zone, Panama.  
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- Park, John B., Coco, San Luis Potosi, Mexico.
- Rockdale-Tampico Land Association (Ltd.), Rockdale, Tex.
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- Shepard, W. T., Le Mars, Iowa.
- Sissel, W. W., Greenfield, Iowa.
- Strain, Joe, Badger, Nebr.
- Spicer, L. E., Watertown, S. Dak.
- Spere, J. A., Table Rock, Nebr.
- Spivey, L. S., Bellevue, Tex.
- Trask, R. E., Coco, San Luis Potosi, Mexico.
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- Temple, J. C., Hayden, Colo.
- Tipton, L. R., Hastings, Nebr.
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- Turner, Tom L., Snyder, Tex.
- Thompson, Lewis, Kellysville, Okla.
- Tackett, Charles, Coco, San Luis Potosi, Mexico.
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- Tyler, C. A., Le Mars, Iowa.
- Truelson, W. A., South Omaha, Nebr.
- Tennery, James M., Owassa, Okla.
- Trate, Mrs. S. A., Granger, Tex.
- Thomson, Peter, Omaha, Nebr.
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- Underwood, Frank E., Omaha, Nebr.
- Vieth, Andrew, Hastings, Nebr.
- Williams, A. A. C., Alvord, Tex.
- Woodward, J. H., Pierce, Colo.
- Waters, George, Albion, Ill.
- White, Rev. M. T., Bellevue, Tex.
- Walton, Delos, Albion, Ill.
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- Weider, J. A., Coco, San Luis Potosi, Mexico.
- Williams, Mrs. E. A., Rodriguez, San Luis Potosi, Mexico.
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Weidenfeller Anthony, Merrill, Iowa.  
Weidenfeld, F. H., Crofton, Nebr.  
Wilcox, A. L., Carney, Okla.

Wedsted, M. L., Plumb Bayou, Ark.  
Wright, J. M., Chester, Ill.  
Wilson, Clayton, Corning, Iowa.  
Yaple, Mrs. S. R., Phoenix, Ariz.

The CHAIRMAN. What became of those colonists when they had to come out of there?

Mr. WARNER. They scattered all over—they lost everything they had: some of them went down in the oil fields and worked down in there.

The CHAIRMAN. Went to work for wages?

Mr. WARNER. Yes, sir.

The CHAIRMAN. Those who came to the United States—do you know anything about them?

Mr. WARNER. Very few; I have visited eight or ten or more families.

The CHAIRMAN. Visited the families?

Mr. WARNER. Visited the families last summer, they are all anxious to go back.

The CHAIRMAN. Where are they?

Mr. WARNER. They are in Texas—different parts of Texas.

The CHAIRMAN. What are they doing?

Mr. WARNER. Well, they are doing a little bit of everything they can. Mr. Hornbeck's family, one of his daughters is working in a department store there and the old gentleman died, and they are just living on the salary that the girl earns. And Mr. Byrd, I believe his daughter married a druggist up at Mineral Wells, and Mr. Byrd, the old gentleman, and his wife are living with them up there.

The CHAIRMAN. They had means besides what they had invested in Mexico?

Mr. WARNER. I think so.

The CHAIRMAN. Did many of the colonists have means so they could come back and live in this country?

Mr. WARNER. Most of them had, but a few of them, of course, did not have. Our consul sent out a letter in the fall of 1913, when I was out on the ranch alone. I had left my girls in Tampico the winter before. I felt uneasy about these roving bands around, but none of us had been molested and they had gone on to Houston, and while I was putting in another crop one of my neighbors came there with a letter that he had got from the consul direct from President Wilson, and it read something like this: "You know, undoubtedly, there will be severe fighting. I will advise you to leave the country. I shall do nothing to protect you if you do not, because I am not going to intervene." He said, "What do you think of that?" I said, "That is possible." For Mr. Taft told us that we would not intervene. We knew that the moment they landed marines in Mexico we would have to abandon the country. I was against intervention then, and I am against intervention now, but I am in favor of this: I think Mr. Wilson made a mess of that thing and he will have to straighten it out. He put Carranza in and if Carranza don't fulfill the duties it is his business to attend to that. The Mexican people have been the victims of our bandits and our conditions. They were armed and put in power in Mexico by virtually

ourselves. Villa would not have been in power if it had not been for the backing Mr. Wilson gave him, gave Mr. Villa, and allowed him arms to help Mr. Carranza. We hear so much about watchful waiting. It is nothing but watchful meddling. They sent those marines in there to take Vera Cruz, according to Reuter's description of it, without getting any authority from Congress. You ought to know that better than I do.

The CHAIRMAN. His action was ratified.

Mr. WARNER. It was ratified after he did it.

The CHAIRMAN. I voted to ratify his action.

Mr. WARNER. That is all right; but I want to say that the people of Vera Cruz never did us any harm, nor any of the people in the United States, and when they bombarded that city and slaughtered several hundred of their innocent people, I consider it one of the greatest crimes ever committed. It endangered all the lives of Americans in Mexico; all of us had to run for our lives.

The CHAIRMAN. You came out before Vera Cruz?

Mr. WARNER. I came out then; I was very grateful; I had to. My son was down in the oil fields 100 miles south of Tampico; he had been cashier for the Aguila Co., and when they got notice Vera Cruz was to be taken they were ordered by the company to come to the beach. They started to Tuxpam, and there they were landed on the beach, some one hundred and forty-odd miles, and there were 296 in the car; and the evening after they got there they got word up at Tuxpam that Vera Cruz had been taken and about 2,000 people slaughtered, and a little Huerta captain came down there and he said, "I have only got about 40 troops and they are about to come down here and murder all you people." He said, "I am keeping them back and doing as well as I can, but if they come you will have to do the best you can." Charley said, "Why, there is over 60 women and children in this crowd." He said, "For God's sake keep them back." He said, "We will do the best we can." I did not hear from him for three weeks. I went to Galveston when this bunch of refugees came up there, over 2,000 of them; I could not hear a word from him.

The CHAIRMAN. You mean 2,000 Americans?

Mr. WARNER. Yes; they loaded them on the ship at Tampico, and then after the mobs had quieted down they wanted to go back to their houses and their hotels and homes, and the captain of the boat said, "You can not go"; and one of our wholesale grocerymen told me, he said one man came up to him, he said, "I just saw the captain of the boat, and he said they are going to take us to Galveston." He said, "I am not going to Galveston." He said, "I bet you are." He said, "I am a free-born American citizen; I am not going to Galveston." He said, "I guess you will; you are a subject of Kaiser Wilson; you are going to Galveston." Judge McCabe came to Houston in order to get back to Tampico; took a train to Brownsville and hired an automobile and came back that way. The moment the mob was put down by that German captain everything was quiet. Huerta—I want to give credit to Gen. Huerta that all of those thousands of Americans that were in there had to run for their lives after that crime of Vera Cruz; every one got out alive with just the clothes they had on their backs; they had to leave their stock, their

homes, and everything. According to, as I said a little while ago, it is the meddler. There is no occasion for that at all. The excuse was to stop the landing of some ammunition for Gen. Huerta. Gen. Huerta was recognized by all the leading foreign nations and all the governments of the Republic of Mexico except two, and that is Sonora and Coahuila, where Carranza was governor. Of course he had a right to buy his ammunition, as I understand international law. I don't know much about it; but, anyway, instead of stopping the boat from landing the ammunition—and Wilson got a telegram, according to ReuterdaI—I have the information from him—somewheres about midnight.

They have war board organization in Washington, with Admiral Dewey at the head of it, to eliminate Gen. Huerta without any bloodshed. And Wilson had them wire Fletcher to have them take Vera Cruz, and the bombardment started. At first they consulted no one, they committed those crimes, and that ruined all of us. We were friendly to all of those factions, they didn't bother us. Wherever there were two or three under a leader they never interrupted us. This 150 that held up our train. I talked to them, and they said, "We are not making war on you Americans." When we got my coach to the station, going out to my place, there were five of us, and we met 58 more of them, and they called them Constitutionalists; they were all armed with 30.30 Winchester and two strings of ammunition. By the way, where they got their ammunition was through our administration backing them. They never molested us. They met these two Gourd girls, they were going to Sunday School, and they asked them if that was the right road to the railroad and they said yes, and a little ways farther they met Mr. King's daughter, a young lady about 18, and they politely lifted their hats to her and they never molested her. They told us, "We came through your colony up here and we stopped at the Casa Grande—large house—and got our breakfast and found everything all right." They said, "We are not making war on you Americans; we are making war on the government." They were going to the railroad to hold that freight train up, and afterwards when Huerta got his troops in there they retired. Then after that Huerta put troops at each station, they generally put 40 or 50 men and a captain in charge of them, while I was there in the summer of 1913.

The CHAIRMAN. Why don't you colonists go back there now?

Mr. WARNER. Well, I have a gentleman here, in this room now, that wanted to go there and go out on the colony, and they advised him if he would go out he would get killed, and he was bound to go anyway, and he talked to a number of Americans and some of the oil men there and they said he would not go out. Mr. Johnson, the manager of the Atascador, said:

I would not go out there. I have not been out there for four years. I would not go out there; that German family is out there, they have taken charge of our machinery, and that is all. I would not go out there for the whole ranch. We have done nothing. We are afraid to go.

The CHAIRMAN. What are you afraid of?

Mr. WARNER. Well, we are afraid of being killed.

The CHAIRMAN. By whom?

Mr. WARNER. By the bandits, they call them; I don't know.



The CHAIRMAN. Weren't there any Federal troops there for protection?

Mr. WARNER. Not that I know of; no, sir. They have got a Federal general in there, this Mexican, a member of the Carranza Treasury Department. He said that he was murdering the Americans in there; had called Lincoln Weeden and young Catron to get their cattle. Mr. Crawford was down to see Mr. Catron; he wanted to buy his cattle, but he said he would not attempt to drive them to the station. You should take them to the stock pens.

The CHAIRMAN. Who is that general?

Mr. WARNER. Largo, I think they call him.

The CHAIRMAN. Who does he claim to be?

Mr. WARNER. A Carrancista. Nieto says, "I got the stock from the raids on the Atascador, among his relatives to-day, and also Nieto said, he—I think that is the way you pronounce it. He ran for governor of the State of San Luis Potosi.

The CHAIRMAN. Nieto; yes, sir.

Mr. WARNER. He claimed that Largo had—Mr. Catron lived there, had three sons, and last summer one of them was shot and killed about 3 miles from the house, and Largo says he is responsible.

The CHAIRMAN. Then it is Largo that you are afraid of, or the men under his command?

Mr. WARNER. Well, I don't know anything about that. We do not know who did it, whether they are Carrancistas or what they are.

The CHAIRMAN. Well, Largo is a Carrancista general?

Mr. WARNER. Yes, sir; so Nieto says himself, and also I got my information through a resident in Tampico.

The CHAIRMAN. Nieto is the assistant secretary of the treasury, is he?

Mr. WARNER. Yes.

The CHAIRMAN. Assistant secretary of the treasury?

Mr. WARNER. Yes; I understand he represented Carranza's treasury in Washington. He ran for governor of the State of San Luis Potosi, and I see by the paper where Carranza counted him out, or he was not allowed to take possession, but I think he has some appointment under Carranza; I am not certain. I want to say this, that in speaking about intervention, I want it distinctly understood that I am against intervention, and I do not want this evidence to go in without that understanding. But I want to say this, that the people of Mexico, and when I say the people I mean the common people of the whole Republic, the same as I speak of the people of the United States; I don't speak of the Bolsheviks nor the I. W. W.'s. The people of Mexico have been victimized by these men that we have been putting in power through our administration.

The CHAIRMAN. Are they sustaining Carranza, the people?

Mr. WARNER. I don't know nothing about that, only what I hear. I wouldn't say, but I want to say this, that when Gen. Scott met Villa at Juarez and, according to Buckley's testimony, he made a deal with Villa and Villa was to conduct civilized warfare, that he has the protection of the United States and expects to be recognized. and one of the greatest blunders that Wilson made amongst the others, after making this deal with Gen. Scott, Carranza's troops go to head Villa off and ask the privilege to ship his troops through

the State of Texas and New Mexico to head off Villa's troops at Agua Prieta, and, of course, Villa knew nothing of this.

Senator SMITH. You do not know anything more about it than we do. That is all history.

Mr. WARNER. Yes, sir; but I want to say this much, that the consequence of these Mexicans coming in there and destroying Villa's army, he then cursed the Americans and killed all the Americans, and we had the raid at Columbus.

The CHAIRMAN. Yes; we have him indicted now in New Mexico for murder, and we have hung six of his men.

Mr. WARNER. Well, these people would all be alive to-day; besides all the murders they were committing, that were committed by Villa afterwards, we can lay that transaction to the crooked deal with Villa. Villa was double-crossed; they meddled.

The CHAIRMAN. Senator Smith just remarked that, of course, we have the history which you are detailing in the record, so it is not necessary to go into that at this time.

Mr. WARNER. Yes, sir. Well, I just did that to explain the position I have; that I am against intervention, because the conditions down there were brought on through his meddling and helping one bandit chief and then another and arming them and putting them in power. They came down and robbed us with Winchesters they got through his authority.

The CHAIRMAN. At any rate conditions are such that you and your cocolonists do not dare to go back there?

Mr. WARNER. Yes; and before that we were perfectly safe, and we never had any trouble, any thieving, raiding, or anything of that kind going on.

Senator SMITH. Up to the flight of President Diaz, before his flight, there was peace all over Mexico?

Mr. WARNER. How is that?

The CHAIRMAN. Senator Smith asks if it is not true that prior to the expulsion of Diaz or resignation of Diaz that you had peace and order all over Mexico?

Mr. WARNER. Yes, sir; all over Mexico.

Senator SMITH. And ever since then you have had trouble?

Mr. WARNER. Ever since then there has been more or less banditry. Gen. Huerta made the remark that he looked to this country—I am not a Huertista or anything of that kind; I don't take any part in politics—I saw in the magazine of Frank Leslie an interview that he had; he made the remark that while Diaz was in power any young lady could have ridden from one end of the Republic to the other and would not be molested. I have known cattle buyers leave Tampico with fifteen or twenty or thirty thousand dollars in their saddle bags to buy stock here and there and camp out with the natives.

The CHAIRMAN. Senator Smith and I have been riding down there for the last 30 years, but we never either one of us had that much money, but we were not molested.

Mr. WARNER. I have lived in the West all my life, and I have never carried a revolver, and I never carried one down there; I never had any occasion to.

The CHAIRMAN. I believe that is all, Mr. Warner; very much obliged to you, sir, for your statement.

**TESTIMONY OF P. F. POORBAUGH.**

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Mr. JACKSON. What is your name?

Mr. POORBAUGH. P. F. Poorbaugh.

The CHAIRMAN. Where do you live, Mr. Poorbaugh?

Mr. POORBAUGH. I live in San Antonio.

The CHAIRMAN. Are you an American citizen?

Mr. POORBAUGH. Yes, sir.

The CHAIRMAN. What experiences, if any, have you had in Mexico?

Mr. POORBAUGH. I went to Mexico in the fall of 1912. I was invited to go with a special train that started from Kansas City. They were more or less representative men that were gathered up there from all over the United States. We had been offered an inducement to make a 10 or 12 days' trip where we would be taken into the Isthmus and given the privilege of stopping in Mexico City one day going and one day coming back, at the small rate, I think, of \$60 from San Antonio, including the sleeper and diner. A majority of these men were going down there to see the country because of the extraordinary rates made. Not very many of them had any anticipation of buying anything.

When we got into Mexico City, as we had known we was not expecting anything of the kind, a report came to the train that we had been extended an invitation from the President, who was then de la Barra, to visit the palace at Chapultepec. So, after being carted around the parks and various scenes of the town and shown the city over 'pretty well, we were taken up in the afternoon to the palace. De la Barra came out and made a very nice speech to us. He seemed to be a very intelligent man. I understood that he had served at Washington as ambassador from that country, and he went on to say that he needed the American help and brains and money to help develop the country: that it was the only schooling that they could afford to give their people—the best that they could give them—and that if any of us should get interested in the country we could depend upon them for protection of our lives and property, and that it would be their pleasure to give us every encouragement they could possibly give. He wound up his speech by saying, "And if for any reason that it might become that we could not give you, or did not give you, or do not give you protection for your life and property that you deserve, that you come from the country worthy of the name of your country under our international law—they will give you such protection."

The CHAIRMAN. You are endeavoring now to repeat his words?

Mr. POORBAUGH. I am endeavoring, and I think I am repeating his exact words.

The CHAIRMAN. He was the interim President after Diaz went out and before Madero came in?

Mr. POORBAUGH. Yes, sir. He also invited us then to go to the Hotel Sans, where he would tender us a banquet that night, that evening. We went there and gathered around in groups and talked over his remarks. Judge J. J. Mansfield, who is now in the House of Representatives, was with us, and he acted as our spokesman and

made a speech replying to De la Barra, after which we went out on the veranda and took some photographs, which I will show you. At the banquet they had four or five representative men. [Referring to photograph]: De la Barra is holding the handkerchief and Judge Mansfield right behind him. Among those was a railroad president, who was then building a railroad from San Lucrecia out to Yucatan, and he said, "These men that are taking you down to the Isthmus are going to show you a body of land known as the Fortuna tract." They had 162,000 acres of land they were trying to colonize. He went on to say they were building a road through that by Oaxaquena Sugar Works. The work was then under way, and of course after three or four of these fellows made speeches to us and outlined the prospects of that country and the advantages and what we might depend upon in the way of assistance and encouragement in every way, we went about midnight to our trains, and the next morning we had dropped in below Cordova and into the Tropics, and we were all very much surprised, all of us, at what we saw. By the time we got down to San Lucrecia, we got there at daylight, and the parties were ready for us to take us down to the Coatzacoalcos River. It means crooked snake. It is the largest river in Mexico, I understand, navigable up for a great many miles; in fact, quite a large boat runs clear up to San Lucrecia. They stopped the boats at this big sugar plantation, where there are some thirteen or fourteen hundred people working, and they went down a few miles farther and stopped at the New York Coffee Plantation, a very nice ranch building. They dropped then on down to the headquarters building that had been built, where it would take care of perhaps 150 or 200 people.

We spent the afternoon there, and the next day they went out onto this ranch property. They showed us the very finest and richest kind of lands, with mahogany timber standing there 4 or 5 feet through and maybe 60 or 70 feet to the limbs, beautiful stuff, and they offered us the land at \$10 an acre and showed us where this railroad was going through, and they are already working on it. The company agreed to build a graded road across the Coatzacoalcos River, straight through the tract. And there was quite a stir made there, and when they got off for dinner they sent all their Indians to serve their lunch, and they pulled out maps and passed them out to the people, these different men. The maps were colored where it was sold and not colored where it was not sold. And the fellows began to holler out I will take such a section and this section, and they sold within a half an hour about 45,000 acres of land. I don't think there was hardly a man in the entire bunch that didn't buy land, Judge Mansfield among the others.

The CHAIRMAN. Did you buy some?

Mr. POORBAUGH. Yes, sir.

The CHAIRMAN. How much did you buy?

Mr. POORBAUGH. I bought at that time about a thousand acres. It might have been a little bit more than that, but I think it was right at a thousand acres. After I got home, a few months later than that, I bought a half a section, I got a chance to get it through another party. It lay on this road they were going to grade through there, and I paid him \$3,200 for that half section in addition to that.

The CHAIRMAN. Did you have any organization among the land purchasers of any kind; then or thereafter did you organize yourselves into an association?

Mr. POORBAUGH. No; the colony was being handled by the Kansas City Land Co.

The CHAIRMAN. Who is at the head of that?

Mr. POORBAUGH. George W. Wright was really at the head of it; he is the man that bought the land.

The CHAIRMAN. He is still in Kansas City?

Mr. POORBAUGH. Yes, sir.

The CHAIRMAN. Did you know Mr. Inglesby?

Mr. POORBAUGH. Yes, sir; Mr. Inglesby was one of the gentlemen that made a speech to us at that Hotel Sans banquet.

The CHAIRMAN. He was engaged in the business of colonizing lands down there?

Mr. POORBAUGH. Yes, sir.

The CHAIRMAN. In other portions of the Isthmus?

Mr. POORBAUGH. Yes, sir. They seemed to stand very high with the officials down there; everybody seemed to think they were A1, reliable men.

The CHAIRMAN. Did any of those that bought lands attempt to make a residence upon them?

Mr. POORBAUGH. Quite a number of them; I expect we had two or three or four hundred people there at one time.

The CHAIRMAN. What has become of them?

Mr. POORBAUGH. I think I was probably the last man down there. I went there in the spring of 1914—I will go ahead with my story, beginning a little earlier than that: In 1912 we went there and bought this stuff. In the spring of 1913 we went with two full special trains, something like about a hundred people, and a great many of them were people that remained there. Among them I took my son and son-in-law and left them there. I had my family here in the States. I had some interests there, and I was not ready to establish my home there until we could get that started; in fact, we were still working on this road, and I left them there and they had not been there but a few months, and they had done some work when the order came to get out. There was a man came there from Salina Cruz, a representative of this Government, and on the same day there was a man came there from Puerto Mexico, both of them to advise for the people to get out, that the boats would not carry anything only the people and grips; they were not even allowed to take their trunks.

We had lots of people there that had lots of furniture, stock, and lots of provisions laid in, it was quite a ways to town and they would lay in quite a good stock of provisions, and they just called a kind of council and we got together and decided, most of them decided to go, and so there was only just a few of the men stayed, and I think all the women and children went, and they filled their grips and went off and left everything. Then in the spring of 1914, I was living then in Houston, I decided I would make an effort to go down there and get out some mahogany timber. This road had got through and you know there was a lot of timber that was down and going to rot if it was not got into the water and taken care of, and I thought I would see if I could not relieve my financial condition.

I had invested most everything I had there. I went down there and on my way down there I got caught in a storm on the Gulf and was lambasted over the ship until I was almost killed; it was several weeks before I could stand up. I had two men with me from Houston that took care of me. I got them down on the ranch to try to get out these logs. Some of the people had agreed to buy some work stock in the way of cattle to help haul out the logs. We thought we could start in it with the natives we could hire. We had some natives at that time on the property. In the meantime I went over to Zavala and stayed with E. E. Morgan, the man that was murdered on the 8th of April of this year, and I stayed there and doctored myself up with him because he had a nice place to stay. And I visited over at Salina Cruz some after I got so I thought I could navigate. I had him take me back down and take me down to the grounds. He starts and goes back to his ranch. On Saturday I got on a horse with the rest of the boys and we took a pack mule, and they started out to show me where we had better land the raft of logs and looked the thing over. We went out and stayed overnight—I believe we went out on Thursday and came back on Saturday, we were gone two or three days—anyway I came back on Saturday, and we had it all planned where we were going to start our logging.

I was sitting at a table a little longer than this one Sunday afternoon writing some letters to my folks, and I thought it would be several weeks or months before I could write any more. The boys had been out hunting that afternoon and they had left an old shotgun lying on the end of the table. They had taken our guns away from us in Puerto Mexico—they were pump guns—and 350 shells. They said they would not allow us to take them in because it was dangerous. I had papers from the War Department that I had taken these guns out of there and could take them back whenever I wanted to; but they thought it would be dangerous, and I had to leave the guns there with them. I kept insisting on the guns; I thought I had to have them there because there were so many tigers up in my country; but finally the German consul offered to get them for me if I would give him \$10, but I would not trade with the German consul and he gave me a hint; he said, "You are a d—— fool to go up there unless you go as an Englishman or a German." I said, "All right, I will try it anyway." Along about 2 o'clock there was a native woman sitting at the sewing machine and she jumps up and runs and grabs this gun, and as she did so she was so excited she said something hurriedly to me. She said there were bandits coming. I could not understand her she was so excited, and she rushed out the side door and I followed her out to see what she was doing, and she was sticking that gun under the house. She let the butt stick out, and I said, "If you are going to hide it, stick the whole thing under." I thought maybe she wanted to hide the gun so the boys could not hunt. As I started back there a man came—I saw a man coming. Our house was boarded about that high [indicating] and the balance had a screen. I was looking through the screen and I saw a man coming along with a slouch hat on. I saw he had a gun; I thought that is what's up, some fellow is coming wanting to hunt. I breezed out the door to meet him, and as I did I saw he had a great big No. 10 American gun like I used to have myself, and he had a belt of shells around this way and that

way and around here, and he had a big revolver and a knife, but I still didn't get excited, because there is lots of game in that country. Just then Mr. Porter, a young lawyer, came out from the cookhouse, but Porter did not get there quite as quick as I did. He was in his shirt sleeves; but, anyway, he commenced talking to Porter, but I held out my hand to admire the gun and he gave me a look that sent chills down my back, and then I glanced around my eyes out into the barn lot and saw about 25 of them, and they were bandits.

I went into the house, and the woman in there grabbed me by the arm, and says, "You want to keep away from that man; that is a bad man; that is the man that killed the captain of the Oaxaquena boats last week." I said to her, "Well, he looks it." I grabbed my grip with the two revolvers and watches and what money I had and stuff was sitting on this table where I was writing, and I ran and clamped that grip shut and went through the side door and went to the cookhouse, and that old woman that was doing the cooking up there was all excited and scared to death. She grabbed me by the arm, and said, "If you will go up the river and hide, we will get them after you, and that will save us." I was still walking with a cane. I knew I would have to go about 200 yards where they could see me if they were looking. There was broom grass standing about a foot high, and I says, "I guess that's the only way," and I started up and went as close as I could to the broom grass; it was raining a little bit. And when I got along where the path turned I looked back and seen they had not seen me. I kept the house between them and me. I knew it could not be very long before they would be after me. I walked along in the path and I made plain tracks, and I stepped off on the other side and scuffled along until I saw that I was not making any tracks, and I jumped out of the path into the bamboo where it was very thick and hid, and I sat down and got my guns out where they could not see me, and I was on the wind side when the wind was blowing from the river. I had not been there more than a minute or two until I could hear them coming, when they went by me Indian file, and there I was sitting in the rain; I did not know whether I dared go back to the house, or whether they had left somebody back there. I knew if I stayed out all night I would have to have a fire to keep the tigers away from me. I knew if I done that they would know where I was, and I was in a bad fix. I suppose I sat there about an hour.

We were expecting a bunch of men in there from California; they were due at that time. They usually came in there on Sunday, but I had given up hopes, because there was so much friction going on in Mexico at that time that I did not have any idea they would ever come. In about an hour I heard the sound of a boat, and I commenced listening and I knew it was the boat. My first thought was I would rush down to the river and I would notify them and have them to come in and tell them for fear they would run into some of the bandits there at the house. I knew they did not have any guns, but the river was so wide and they were out so far and had the curtains down that I did not take any chances, but I went back to the house, and there wasn't any bandits left there. Now, going back I made up my mind them fellows was coming back again; they know I haven't got any gun; the chances are they will be back

in the morning, and the only chance to save our lives will be to play their bluff for bravery. Mr Porter met me as I came out to find out what my experience had been, and I said, "Now, let me do all the talking for this crowd, don't say nothing about being held up." I went in to dry my clothes and I told the Indians not to whimper a word that they saw the hold-up. After we got in and all settled I told Mr. Morgan about what had happened. I told him that I thought they would be back the next morning. We must keep these men out laughing and joking around and he must be out and meet them when they came. So the next morning at daylight he worked very hard to get the horses saddled before breakfast so as to get these men out into the interior before they would come.

The CHAIRMAN. These the Americans?

Mr. POORBAUGH. Yes, sir. Well the Americans were there; they had arrived. Mr. Baxter, a friend of mine, was there, a man that had been there several trips. I never told him a word. About daylight I had a field glass and I went out and began to watch. I finally seen them coming. I went in and told Mr. Morgan, and we put the dinners in a little sack and put them on the horses on the horn of our saddles. I told him, "They are coming," and Mr. Morgan showed fear. He had had a great deal of experience with bandits and he showed fear. He had one of those Colt's automatics. I said, "You take that fellow off to one side and talk to him, and if you see you can't settle with him and he is bound to get our guns, shoot him and get his gun, and at that moment I will have Porter in the saddle room with a gun pointed at them, and I will be in the yard with my hand on my revolver, and the moment you make a move we will all shoot at them." He went out and it seemed he was talking an hour.

We had one man named John Walker who stepped up after these men stopped there, and he looked kind of scared. He said, "Who is that bunch there?" I said, "That is a bunch of natives, they always come in here when we have a bunch of men here, they think they may get contract work," and they were laughing around and talking, and old John steps up in front of this bunch and threw both hands up, playing they were bandits. I dared not say anything. I got around to old John and jerked his coat and told him what they were. I said, "Fellow, get out." Mr. Morgan was telling them that these men cared nothing about them, that they will shoot their eyes out with revolvers if they started anything, and the only show you have got is to come out and play the game. He was so weak that he could not hardly come out, but he came out. Afterwards Mr. Morgan broke away and came. I dropped in his way and he whispered to me that they had settled. I found out afterwards that he went back and paid them, he gave them \$50 in money and some boots. The reason it took so long he insisted on the guns. Well, I went, that settled me. Up to that time I had not made up my mind that I would still return home, but after that I went and got these two boys together. I says, "I am going to go to Vera Cruz with them, and while they are going to Florida and around that way home, we will take boats and go to Tampico and from there to Galveston." Mr. Bennett promised to go, but Mr. Porter would not go. Mr. Porter was a lawyer. He had sold his law library in Houston to get the money to go down there. He



had a family, two children, two or three children in Indiana, they had been sent back there to his wife's father. He felt he had nothing to go back to and the prospects looked good to him, and a cattleman had offered him half of his cattle ranch to stay there and take care of them. I divided some money with him and gave him my .38 revolver, and that is the last I ever seen of Porter, never heard of him from that day to this. I went to Vera Cruz on that train with these men, and had a visit with Mr. John Lind. I thought if I could get any encouragement there I would return. In the meantime Mr. Bennett had decided to stay with Mr. Porter another week, that he hoped that he could get him to come with him and they would go down to Puerto, Mexico, which he did, and I never heard from Porter any more. As I didn't get any encouragement from Mr. Lind. he was sent there for just one purpose and that was to drive Huerta out of there, to get him out in some shape, and while it looked as though they were trying to put Carranza in, I did not think half as much of him as I did of Huerta and the prospects, and so I told him that if I could not get any encouragement there I was going home, that I was going to try to forget my losses there and start life over again, that I had no hope whatever in what was going to take place, and I went up from there to Tampico, and from there to Houston, and a few days later, why, the troops had landed at Vera Cruz, and this crowd came out that was landed there at Galveston.

The CHAIRMAN. Have you been back since?

Mr. POORBAUGH. No, sir; I have not been back since.

The CHAIRMAN. Are there any of the other colonists there?

Mr. POORBAUGH. No, sir; I do not think there has been any of our colonists or any people on that ranch since I was there. I visited a number of their homes on that trip I was there, there was absolutely nothing to be found in their houses, lots of them were well furnished, with the exception of the cook stove, and cook stoves seemed to be in the places where they were without being molested in any manner. Every house had a cook stove, absolutely nothing else in the house except the cook stove, what farm machinery they may have had out around in the back lot, you will find lying around there, that was not molested, but everything else, you could see where a great many of the houses had been used for chicken houses.

Senator SMITH. Who were those, that band of robbers that made this assault on you there, whom did they represent, do you know?

Mr. POORBAUGH. They represented just themselves, little squads would gather up to make money out of it. Now, in justice to the old man that is dead, I want to explain what became of him. We got to Vera Cruz on the night, I think it was Tuesday night, and that night I wrote a letter to Huerta and told him all about what had happened. I had had quite a little correspondence back and forth with him about this gun business, and on Friday that band got back there and carried everything off that was on the place. They had stripped their people, Mr. Bennett told me they had stripped the natives naked and turned them loose and got everything that was worth anything on the entire place and carried it off.

The CHAIRMAN. They claimed to be revolutionists against the Huerta administration?

Mr. POORBAUGH. Oh, no, no; they were just out for the money. The Huerta soldiers, a squad of them, were sent out from San

Lucrecia, it was not a very great distance, however, on Saturday, and caught up with those fellows within a mile of our place and killed 18 of them, and they had taken 7 of them and took them into Puerto Mexico, and while Mr. Bennett was getting on the ship to Galveston those seven were taken out and shot, and the story was given out that they tried to get away, and that wound up that bunch of 25.

Senator SMITH. They were captured by the Huertistas?

Mr. POORBAUGH. Yes, sir; they were captured by the Huertistas.

Senator SMITH. What has the condition been so far as you could ascertain as to the safety of anybody going back there now, and if it is not as safe, what are the present conditions?

Mr. POORBAUGH. The present conditions from all that I can hear—of course, I am keeping in touch with friends and people in various ways, and have very closely since I landed in this country in May of this year—I had been a year over in the Orient, China, Japan, and the Philippines, and while I was over there, of course, I did not get much of any news, but in the meantime I had not given up hope of Mexico. My son being interested in cocoa-nut oil, I decided to buy the Zavala Ranch, and we had to send some money to Mr. John Baxter here—by the way, Mr. Baxter's letter here this morning might interest you—we sent him to Kansas City to find out what this property could be bought for and asked him to cable us, and he cabled us that it would cost \$150,000. We had decided we would take it; so we went to—when we got to San Francisco we cabled Mr. Baxter that we had to be in New York shortly and to meet us in San Antonio and ride with us to Houston and we would talk with him on the way and make our arrangements. The first thing he told me when we got on the train here at San Antonio was that Mr. Morgan had been killed on the 8th day of April. We had figured that there was about 125 head of natives on this ranch, and we would put Mr. Morgan in charge and have him put them to work putting out cocoa nuts. And it took about 8 or 10 years to get them to bear. When we found out Mr. Morgan was dead, and not knowing what had become of the ranch we had lost all hope. We had given Mr. Baxter what we thought was ample expense money, but my son gave him another \$50 bill and told him to go home and try to forget it.

The CHAIRMAN. I think we have in our files an account of the death of Mr. Morgan.

Mr. POORBAUGH. I was very well acquainted with Mr. Morgan.

Senator SMITH. Who was in possession, if you know, what particular faction was exercising jurisdiction or control over that particular land?

Mr. POORBAUGH. Well, so far as I know, nobody, since Carranza has been recognized; I suppose it is the Carranza faction. At the time I left there one proposition I made to Mr. John Lind was that if he would go out and travel with me 30 days and we would travel through the interior and central part of that country, and we would take an exhibit to him everything that had white blood in it, and if 85 per cent of them didn't agree with me that Huerta had given us a better government than Madero had, and he was their choice of all

the prospects there was in Mexico, I would pay all expenses of the trip.

Senator SMITH. I am trying to get at this particular time, I want to get, if I can, from anybody who knows, what effort at order is being made, what protection of life is being offered to Americans down in that country where you speak of?

Mr. POORBAUGH. None whatever.

Senator SMITH. Who has control of it at this time?

Mr. POORBAUGH. Well, it is supposed to be Carranza, but there is nobody got control.

Senator SMITH. I mean, it is within what is the jurisdiction of Carranza?

Mr. POORBAUGH. Yes, sir; it is within the jurisdiction.

Senator SMITH. And within that jurisdiction you do not think Carranza or anybody else has any control of it?

Mr. POORBAUGH. No, sir; the Government of Mexico is in more the shape of China; it has got a dictator of the north and a dictator of the south; and every city makes its own money in China, and that is about what it does in Mexico. Every district or any village of any size in the country has got its own dictator.

The CHAIRMAN. In what State is this land of yours?

Mr. POORBAUGH. The lower end of Vera Cruz on the Isthmus Railroad, it was south of the Isthmus Railroad.

The CHAIRMAN. Who is the governor of the State of Vera Cruz; do you know?

Mr. POORBAUGH. I don't know. There is one other thing I would like to call to your attention.

The CHAIRMAN. Very well, sir.

Mr. POORBAUGH. It looks as if I had been picked in my title. I don't know whether you folks could assist me in any way, shape, form, or manner about it. When I was in the Philippines I got a letter from Mr. Parker; he paid my taxes for about eight years; he had paid taxes for all of our people down there, and when I got home here this year I received this letter, written the 31st day of July, but I didn't get it until some time in August, but as the letter will show you he asked me to show him my deed, but not the abstract, and that he has fixed my particular title, although it was a court of fomento title, that it would have to be sent there for them to validate under this Government, under Carranza rule, and he sends me this copy that he had translated from the Spanish, that I should keep as my receipt for this deed. He goes on to say that the Washington Government here has recommended that we do this. I took the deed and went to the post office and mailed it to him. I have never heard a word from it. I have got my tax receipts—that is, I paid them every year—every year in December he has been sending me the tax receipts, and telling me about what the taxes would be for next year; I would always keep a little ahead there. I didn't hear a word about my tax receipts, nor my probable taxes, nor about my deed. After writing a number of letters to him I went to the American consul and he asked me to write him a letter, which I did, to give the statement to him in regard to what I had done. I don't know whether any of these letters will do any good or not, but from what I have heard since that time I understand that is coming

to be a common thing down in that country. Now, I don't know whether that man Parker has been killed or whether these records fell into—

Senator SMITH. I presume this comes within the line of notices given to landowners in Sonora, that they would steal their lands, they were going to be confiscated.

Mr. POORBAUGH. This shows that it has been in the hands of French heirs, a family in France; the Ferdonia people are French, and it has been in their hands for more than 150 years.

The CHAIRMAN. This circular is circular form, to be filed by a land owner, certificate to be made by him.

Mr. POORBAUGH. I signed one of these and that was the copy I was to keep. I signed the other one, it was in Spanish, that one in connection with my deed, but this letter is what I sent it in. I think if our own Government had recommended it, of course, I was safe in doing that.

The CHAIRMAN. This is an act of February 21—not an act, but it is as usual, it is an Executive Order of the President of Mexico of February 21, 1918, forfeiting certain concessions, grants, and requiring individuals claiming lands, then those who sent down there for reregistration their titles, make claim.

Mr. POORBAUGH. Yet the President of Mexico, at the time he made this speech to us, assured us the court of fomento title was absolutely perfect and could not be overthrown by any government.

The CHAIRMAN. This President of Mexico has shown you about that. You are speaking of another President?

Mr. POORBAUGH. Yes. I don't know. I don't concede the fact he was elected President. I don't know whether the United States can appoint one and make one down there legally or not. I happen to know something about his election. I know he wasn't elected. I know another thing, there never was a person elected in Mexico. Huerta was man enough to come out and tell us he would pull off the stunt, but he didn't want any of our intelligent people to think he was going to pull off an election. Mr. E. E. Morgan told me about several of those elections. He told me they required the boys to pay 25 cents a piece to sign their names, but when Mr. Huerta was elected the same stunt was pulled off in the same way; they had no chance to put their names on the paper either for Madero or Huerta, but they were charged 25 cents.

The CHAIRMAN. We can have these papers copied.

Mr. POORBAUGH. That is what I think, if you can use them. I will have them copied, because they are all I have got.

The CHAIRMAN. Very much obliged to you.

### TESTIMONY OF O. G. COMPTON.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

The CHAIRMAN. We are meeting the convenience of witnesses as nearly as we can, and when one is here who must leave we will take his testimony out of rotation—that is, we will take evidence upon some other subject than that which we have been following—to meet the convenience of the witness.

What is your name, sir?

Mr. COMPTON. Compton, O. G.

The CHAIRMAN. Where do you live, Mr. Compton?

Mr. COMPTON. I live in San Antonio.

The CHAIRMAN. You are an American citizen?

Mr. COMPTON. I would hate to think otherwise. Yes, sir.

The CHAIRMAN. Have you had any experience with reference to Mexico, or to disturbances from this side?

Mr. COMPTON. Yes, sir; I was in the Glenn Springs raid, May 5, 1916.

The CHAIRMAN. Where is Glenn Springs?

Mr. COMPTON. About 75 miles south of Alpine.

The CHAIRMAN. How far from the international border?

Mr. COMPTON. It is between 8 and 9 miles from the Rio Grande.

The CHAIRMAN. When was the raid you speak of?

Mr. COMPTON. May 5, 1916.

The CHAIRMAN. Were there American soldiers there?

Mr. COMPTON. Nine.

The CHAIRMAN. What occurred there, Mr. Compton? Just tell it in your own language.

Mr. COMPTON. A bunch of Mexicans ran in there that night about 11 o'clock and began to shoot things up immediately and set the soldiers' quarters on fire, the barracks.

The CHAIRMAN. How many people were there in Glenn Springs, about?

Mr. COMPTON. There were the nine soldiers and my family and Mr. Ellis's family and several Mexican families, but that immediate night I don't think there was but three Mexican families that was in their quarters; they were nearly all off on a visit, different places.

The CHAIRMAN. Glenn Springs, of course, is in Texas?

Mr. COMPTON. Yes, sir; Brewster County.

The CHAIRMAN. You say the soldiers' quarters, or barracks, were set on fire?

Mr. COMPTON. Yes, sir.

The CHAIRMAN. Was there any fighting?

Mr. COMPTON. Constantly from 11 o'clock on until nearly daylight.

The CHAIRMAN. Who was engaged in the fight?

Mr. COMPTON. These Mexicans, these nine soldiers and myself.

The CHAIRMAN. How did you happen to become engaged in the fight?

Mr. COMPTON. I was living there, Senator.

The CHAIRMAN. You didn't attack these Mexicans?

Mr. COMPTON. No, sir; they attacked us, and it was either fight or get killed. We were surrounded.

The CHAIRMAN. Were any Americans killed?

Mr. COMPTON. There were three American soldiers killed, and my little boy, 5 years old.

The CHAIRMAN. How was your boy killed?

Mr. COMPTON. Shot through the heart. The bullet went through that arm (indicating the left arm) and through the heart.

The CHAIRMAN. Where was he at the time he was shot?

Mr. COMPTON. He was standing right in the middle of the room, right in front of the door.

The CHAIRMAN. Was it at night?

Mr. COMPTON. Yes, sir.

The CHAIRMAN. Were any of these Mexicans identified, or was there any method of identifying them?

Mr. COMPTON. Well, there was three of them brought back to the United States by Col. Sullivan and Maj. Longhorn's troops when they went in.

The CHAIRMAN. That is, the American troops went across the line?

Mr. COMPTON. Yes, sir.

The CHAIRMAN. Captured some of the raiders and brought them back?

Mr. COMPTON. Yes, sir.

The CHAIRMAN. They were identified, were they?

Mr. COMPTON. Yes, sir.

The CHAIRMAN. They were identified as having been in that fight?

Mr. COMPTON. One of them was identified as being in this fight, and the other two, I believe, in the Boquillas raid.

The CHAIRMAN. To what faction, if any, did these Mexican people claim to belong?

Mr. COMPTON. Well, they were "Viva Villa" and "Viva Carranza" both. This general, I believe, had Carrancista papers on him.

The CHAIRMAN. Which general?

Mr. COMPTON. I can't tell you his name now.

The CHAIRMAN. One of these men who was arrested, you mean, by our soldiers?

Mr. COMPTON. Yes, sir; and brought back to the United States.

The CHAIRMAN. But he was known as a general, was he?

Mr. COMPTON. A colonel.

The CHAIRMAN. Under what command? Do you know who he claimed to give allegiance to?

Mr. COMPTON. No, sir; he wouldn't tell it.

The CHAIRMAN. But he had some papers on him, however?

Mr. COMPTON. Yes, sir; he had some papers on him.

The CHAIRMAN. What did those papers show as to his identity?

Mr. COMPTON. Well, I believe that it would show he was commissioned in the Carranza army as a colonel.

The CHAIRMAN. I think we have in our records a statement of some of the Army officers there as to the identity of these men. Was there any robbery committed out there?

Mr. COMPTON. Yes, sir; they carried off everything they could carry off—everything that they wanted out of the stores—and carried everything out of my home but the big cookstove and the iron bedsteads; of course, they didn't want them.

The CHAIRMAN. They got possession, then, of the property, did they?

Mr. COMPTON. They got possession.

The CHAIRMAN. How long did they remain there?

Mr. COMPTON. Twenty-three of them—I believe it was 23—remained until about 7 o'clock the next morning.

The CHAIRMAN. What became of you and the other members of your family in the meantime?

Mr. COMPTON. Before these soldiers broke for liberty out of this burning building I couldn't do nothing with my little girl 9 years

old, she kept hollering and crying, she wanted me to take her over to the wash woman's house. I told her I would if she would hush crying, and get on my back so I could carry her, it must be about 100 yards over there. I carried her on my back over there and turned her over to this Mexican woman and told her to take care of her. She told me she would. She proceeded to wrap her up in a black shawl like all Mexican kids are wrapped up. I started back to the house to get these boys that were asleep at that time. I got between the boiler room and the blacksmith shop, between 50 and 75 yards from my house, and these soldiers broke for liberty. Sergt. Smith hollered, "Don't shoot, Compton, this is Sergt. Smith." I dropped down, but instead of him coming to me, he popped out on a hill, and I didn't see him any more. These Mexicans followed him, looked to me like 25 or 30 of them. They attacked my house and I proceeded to warm them up.

**The CHAIRMAN. You shot at them?**

**Mr. COMPTON.** Yes; and I thought I heard Mexicans walking on that cinder path trying to get in behind me, and I backed up into that space by the boiler room. I didn't want anybody to get in between me and that light, or shoot back and forth in right around the light that was back away from this fire here. I got out of the boiler room and got behind a rock about the size of that table, and stayed there the balance of the night. There was a trail going west out behind the boiler room, and while I was behind that rock, I judge it was 2.30 or 3 o'clock in the morning, these Mexicans left there, going up the river on horseback, all except 20 or 25 of them, they stayed there and took these soldiers' horses and mine, and Mr. Ellis's horses, and took what they wanted of them, and they went south the next morning about 7 o'clock.

**The CHAIRMAN. Any of the Mexicans killed?**

**Mr. COMPTON.** There was only one of the men left on the ground. Several puddles of blood around there, like—several puddles of blood, like you might have been killing a bunch of sheep.

**The CHAIRMAN. How many boys did you have?**

**Mr. COMPTON.** I had two boys and a girl.

**The CHAIRMAN. What became of the boy who was not killed?**

**Mr. COMPTON.** He stayed there in the house. They didn't bother him. He was deaf and dumb, and I am satisfied that some of these Mexicans knew it, because they knew how to get in this store.

**The CHAIRMAN. They killed the other boy?**

**Mr. COMPTON.** They killed the little one; yes, sir.

**The CHAIRMAN. What was done with those Mexicans who were arrested by our soldiers, do you know?**

**Mr. COMPTON.** Yes, sir; they were brought to Marathon; the sheriff came down from Alpine and carried them to Alpine and put them in jail.

**The CHAIRMAN. Do you know whether any of them were tried?**

**Mr. COMPTON.** Three of them were tried; yes, sir; and sent to the penitentiary.

**The CHAIRMAN. Have there been any other raids, either prior to this or subsequent, that you know of, there along that border?**

**Mr. COMPTON.** Well, there has been—a Ranger customhouse—one up the river 40 or 50 miles from there; and there are frequent raids, Senator, all up and down the river, taking stock across.

The CHAIRMAN. You could hear of them every few days?

Mr. COMPTON. We expected a raid this very night. It had been rumored around there for a few days that that night they were going to shoot up Terlingua, but they didn't; they attacked Glenn Springs and Boquillas.

The CHAIRMAN. They did raid Boquillas that same night?

Mr. COMPTON. The same night, and carried Mr. Deemers into Mexico with them.

The CHAIRMAN. How far is Boquillas from Glenn Springs?

Mr. COMPTON. I believe it was 23 miles; that is right on the river, not over a mile from the river.

The CHAIRMAN. Do you own your own home there at Glenn Springs?

Mr. COMPTON. Not there; I own a section of land down on the river. I had only been up there nearly two months.

The CHAIRMAN. Did you leave Glenn Springs immediately after this?

Mr. COMPTON. Yes, sir; I left there Monday morning after the raid Friday night.

The CHAIRMAN. That is all, Mr. Compton.

The CHAIRMAN. I understand Mr. Schuls, the witness we expected, has a sick child. Of course, that is sufficient excuse; this is not a formal court proceeding, but I hope the witnesses who are subpoenaed here will remember they are under process, and they will be in attendance unless there is a very good excuse for nonattendance in which case they will notify Capt. Hanson or the secretary of the committee. Senator Smith is compelled to be absent for a while, and the committee will be in recess until to-morrow morning at half past 10 o'clock.

(Thereupon, at 4.30 o'clock p. m., the committee recessed until Friday, January 16, 1920, at 10.30 o'clock a. m.)





# INVESTIGATION OF MEXICAN AFFAIRS.

FRIDAY, JANUARY 16, 1920.

## SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS, UNITED STATES SENATE.

The subcommittee met pursuant to adjournment at 10.45 a. m. in the Pink Room of the Gunter Hotel, San Antonio, Tex.

Present: Senators Fall (chairman) and Smith; Dan M. Jackson, Esq., clerk of the subcommittee.

### TESTIMONY OF J. G. SCHULS.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Mr. JACKSON. Give your name to the stenographer.

The CHAIRMAN. Give your full name.

Mr. SCHULS. Schuls is my name; J. G.

The CHAIRMAN. Where do you live?

Mr. SCHULS. San Antonio at present.

The CHAIRMAN. Are you an American citizen?

Mr. SCHULS. Yes, sir.

The CHAIRMAN. Where were you born?

Mr. SCHULS. State of Iowa, in the year 1864.

The CHAIRMAN. Have you lived in Mexico?

Mr. SCHULS. Yes, sir.

The CHAIRMAN. When?

Mr. SCHULS. We were there since—we were there—before we came to San Antonio at the present, why, we were there two years and a half.

The CHAIRMAN. What year?

Mr. SCHULS. We went there in 1916 and came back here in October.

The CHAIRMAN. What portion of the country were you in?

Mr. SCHULS. We first went to San Luis Potosi; that is in the state of San Luis.

The CHAIRMAN. What were you doing?

Mr. SCHULS. I was trying to go to ranching, until I got in with a man over in the Rio Grande country. He lived in the City of Mexico, so after I lived a while in San Luis Potosi, I moved my family to the City of Mexico, because I thought it would be safer there than in San Luis Potosi, but it proved to be worse in the City of Mexico than in the State of San Luis Potosi.

The CHAIRMAN. Did you live in the city or in the Federal district?

Mr. SCHULS. Yes; we lived in the Federal district, in the suburbs, in a little place called Colonia del Valle.

The CHAIRMAN. You say you thought it would be safer there?

Mr. SCHULS. We thought it would be; yes.

The CHAIRMAN. You mean to say it was not safe, or you did not consider yourselves safe in San Luis Potosi?

Mr. SCHULS. No, sir; no, sir; we were bothered there all the time.

The CHAIRMAN. What year was that?

Mr. SCHULS. In San Luis Potosi?

The CHAIRMAN. Yes.

Mr. SCHULS. That was in 1916, and the next year then we moved to the City of Mexico and there we moved in one afternoon in a little house in Colonia del Valle, and we did not know they went through the wall until next day, and when we moved in the people went through the wall and got five pigs. We began to raise pigs.

The CHAIRMAN. Pigs?

Mr. SCHULS. Yes, sir; the place was probably 300 feet or more square, and the boy woke up that night dreaming, and that is the way I scared them away, but they would go and take them all, and after that I had to stay in my house every night with my rifle and six-shooter.

The CHAIRMAN. Well, who were they?

Mr. SCHULS. Well, as far as I could learn they were all Carrancista soldiers; they were all over there in the valley, right east of me.

The CHAIRMAN. Well, in San Luis, who was it giving you the trouble?

Mr. SCHULS. Well, generally what they call bandits there.

The CHAIRMAN. Were there any Government or Federal troops in the neighborhood, Mr. Schuls?

Mr. SCHULS. Yes, sir; lots of them.

The CHAIRMAN. They could not afford you and your family protection?

Mr. SCHULS. Oh, no; no.

The CHAIRMAN. Did they try to?

Mr. SCHULS. No, sir. When in the City of Mexico, when we applied for aid there, why they told us that they had no time to wait on us at all. Carranza last summer took all the pistols away from the policemen; every policeman in the City of Mexico has no gun at all; all that he has is a stick.

The CHAIRMAN. Where is the American colony situated in Mexico City; if you know?

Mr. SCHULS. I do not know of any. I did not get acquainted around there in that colony, where we was; what they call Colonia del Valle; there was five or six Americans in there, and there was a big French dairy, and there was two or three English families living there where we were, and the rest of them were Mexicans.

The CHAIRMAN. Were you ever in the City of Mexico at night?

Mr. SCHULS. No, sir.

The CHAIRMAN. Have you at any time acquired any property in the Republic of Mexico?

Mr. SCHULS. Yes, sir. We had some in San Luis which we sold last summer; or I mean last spring rather, my wife went there and sold it. We fixed our deed in the City of Mexico and she went up there to receive the money, and on her way coming back she was robbed at Queretaro at noon.

The CHAIRMAN. You mean the city of Queretaro?

Mr. SCHULS. As the train stopped there for dinner she went in and was robbed.

The CHAIRMAN. How much was taken from her?

Mr. SCHULS. Two thousand American dollars. We got it all in American gold in San Luis.

The CHAIRMAN. Who robbed her?

Mr. SCHULS. Mexicans.

The CHAIRMAN. In the city of Queretaro?

Mr. SCHULS. Yes, sir; right at the railroad station; and she was also anxious when she was in the train.

The CHAIRMAN. In the train?

Mr. SCHULS. Yes, sir; the way it happened——

The CHAIRMAN. When was that?

Mr. SCHULS. That was the latter part of March.

The CHAIRMAN. Of 1916 or 1917?

Mr. SCHULS. No; of this last year, 1919.

The CHAIRMAN. Oh, 1919.

Mr. SCHULS. Yes, sir; this year, 1919; yes, sir.

The CHAIRMAN. Well, Queretaro is the city where Mr. Carranza lives a part of the time; does he not? Retires from the City of Mexico to Quaretarro?

Mr. SCHULS. That I could not say.

The CHAIRMAN. Do you know whether that is the city where they formed the constitution of 1917?

Mr. SCHULS. Yes, sir; yes, at that time; yes, sir.

The CHAIRMAN. How far is it from the City of Mexico by train; what time does it require?

Mr. SCHULS. Well, now, it takes a good deal of time. It took my wife from noon that day until half past 2 the next morning, when she arrived in the City of Mexico. Sometimes we have no trains, and again our trains are very late.

The CHAIRMAN. Ordinarily it is about a four-hour run by train?

Mr. SCHULS. Ordinarily it is about a four-hour run.

The CHAIRMAN. Were the federal soldiers in Queretaro?

Mr. SCHULS. Yes; they probably had a company of soldiers on the train, they carry that many and sometimes more on the train.

The CHAIRMAN. Do you mean when the train was robbed?

Mr. SCHULS. Yes, sir.

The CHAIRMAN. How many people robbed it?

Mr. SCHULS. There was nobody robbed in the train but my wife, of course; they may have robbed others, but the way I look at it was that when she drew her money in the city of San Luis Potosi the man that paid the money must have given the conductor a tip that she took the money with her, and when she got there somebody hurt the baby and she reached over to get the child and somebody stole everything she had. They called the soldiers out and there was somebody running and they shot at them here and there, but they never rounded them up. They got into the wrong car, my wife was in the Pullman and these fellows had no business in there, and that is the way I said to my wife, that it was all cut and dried.

The CHAIRMAN. When did you come out of Mexico?

Mr. SCHULS. We started on the 9th day of October.

The CHAIRMAN. Did you have any property anywhere else in the Republic of Mexico?

Mr. SCHULS. Yes, sir; I have a little ranch over there at Rosalia, in the State of Chihuahua.

The CHAIRMAN. Santa Rosalia?

Mr. SCHULS. Yes, sir.

The CHAIRMAN. Why don't you live on it?

Mr. SCHULS. I can not.

The CHAIRMAN. Why?

Mr. SCHULS. Why, it is not safe at the present.

Senator SMITH. Why?

Mr. SCHULS. Because they rob you, and not only that, but they would probably kidnap me and hold me for ransom, and kill me. That is the reason we got out now, we could not stay. I went there when Carranza said that all Americans that wanted to go to work and have property he would protect us, but he never protected us at all. As long as we had money he would protect us. He stole all our money this time.

The CHAIRMAN. How much land did you own in Camargo?

Mr. SCHULS. There were 3 leagues of it, or 3 leagues that I had there. Also my wife has 1 league there that her father gave to her. There was a lawyer in San Luis Potosi—she probably knows his name; I have forgotten it now—that took her papers and went up there to look over the records, but she never saw him again, she stayed a week there but she never saw this man again.

The CHAIRMAN. How much land did you own in San Luis Potosi?

Mr. SCHULS. We had just a little house and lot that we sold there.

The CHAIRMAN. What means did you have when you went to Mexico, about how much property and money?

Mr. SCHULS. Well, we had something like \$4,000 when we went there; that was the money that I made in Mexico, that I saved out of the wreck after they robbed me up there.

The CHAIRMAN. I mean when you went into the Republic of Mexico?

Mr. SCHULS. Oh, when I went in there first?

The CHAIRMAN. Yes, sir.

Mr. SCHULS. I went into the Republic of Mexico with something over 6,000 American dollars.

The CHAIRMAN. How much did you come out with?

Mr. SCHULS. Well, I came out with a good deal less than that, after making improvements and everything, and I bought a farm, etc., down there, and I spent more than that money to buy mules and horses and implements.

The CHAIRMAN. What became of your mules, horses, and implements?

Mr. SCHULS. They were all stolen. After Madero overthrew Diaz a bunch of bandits came here and there and they began to rob, and then when Madero was killed, well, it was precisely the same people, because the men who were fighting for Madero are the same men who are with Carranza to-day; precisely the same people. When Madero overthrew Diaz he went to the penitentiary and unlocked the doors and said, "Every man that will fight for me, all the loot that he can steal will be his."

The CHAIRMAN. Well, you do not mean Madero personally said that; you mean some of his leaders, Mr. Schuls?

Mr. SCHULS. Well, I do not consider Madero any better than the rest.

The CHAIRMAN. I believe that is all, Mr. Schuls; thank you.

**TESTIMONY OF W. W. MILLER.**

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Mr. JACKSON. W. W. Miller?

Mr. MILLER. Yes, sir.

The CHAIRMAN. Where do you live, Mr. Miller?

Mr. MILLER. San Antonio.

The CHAIRMAN. Are you an American citizen?

Mr. MILLER. Yes, sir.

The CHAIRMAN. Native born?

Mr. MILLER. Born in Iowa.

The CHAIRMAN. Have you lived at any time in Mexico?

Mr. MILLER. Yes, sir.

The CHAIRMAN. Had business there?

Mr. MILLER. Yes, sir.

The CHAIRMAN. What was your business?

Mr. MILLER. I had land and cattle.

The CHAIRMAN. When did you go there?

Mr. MILLER. In 1906, in June, 1906.

The CHAIRMAN. How long did you remain?

Mr. MILLER. Well, at that time I only remained a month. I had been down there. I had made eight round trips down there—had made nine round trips.

The CHAIRMAN. When did you first make investments there?

Mr. MILLER. In 1907.

The CHAIRMAN. And what has been your experience in Mexico with your investments?

Mr. MILLER. I put it down there and I can't get anything out.

The CHAIRMAN. What was it in 19—what was the condition in 1906, 1907, and 1908?

Mr. MILLER. In 1906 I went down there, and through J. J. Fitzgerald, in Mexico City, and others, and Senator Castellot was with us, he was the president of the Mexican Senate—

The CHAIRMAN. He now lives in New York?

Mr. MILLER. Well, I do not know what became of him. And he said conditions were good down there and they invited American capital down there, and I thought conditions were safe, and I wrote it to my friends here that I thought that the conditions were just as good for investments of capital as in the United States.

The CHAIRMAN. Well, what were the conditions then?

Mr. MILLER. Well, they were good; I never had any trouble as long as Don Porfirio was in office.

The CHAIRMAN. You did later have trouble?

Mr. MILLER. Well, they took our cattle.

The CHAIRMAN. When?

Mr. MILLER. Well, they commenced taking them prior to December 1, 1911. I have a letter that I wrote to the President on December 15, 1911, asking for protection.

The CHAIRMAN. What President?

Mr. MILLER. President Taft.

The CHAIRMAN. Did you get any protection?

Mr. MILLER. No, sir; I never, not under Taft or Wilson, or Don Porfirio, or any other string of Presidents—after Don Porfirio left. Under any other President we had down there we had no protection. and we had mighty little before that when it came down to that.

The CHAIRMAN. What was the subject of your communication to Mr. Taft?

Mr. MILLER. Well, I have a copy of the letter right here. [Witness produces letter.]

The CHAIRMAN. Just read that, if you have no objections to its going in the record.

Mr. MILLER. Why, none at all. [Reading:]

DECEMBER 15, 1911.

HON. W. H. TAFT,

*President of the United States,*

*Washington, D. C.*

MR. PRESIDENT: Myself and partner have something over \$200,000 gold invested in Mexico.

Owing to the unsettled political conditions, and especially the unprotected conditions of the Americans in Mexico, our holdings are practically of no value, and there seems to be no chance of a better condition until the United States takes some action for the protection of her citizens, their lives, and property.

I was in Mexico City all during the month of September, 1911, and saw posters which were posted in conspicuous places in the cities of Puebla and Torreon—notices wherein they stated that American meat, meaning American human flesh, would be on sale September 15, 1911, at 5 centavos per kilo, equivalent to 1 cent a pound.

WITNESS (interpolating). Now, I bought two of those posters; I bought them from Mr. Homer Porter, of the Hotel Porter, and I paid 5 centavos each for them, and I sent them to President Taft. You will find them there on record. [Continuing reading:]

I would like to ask you, Mr. President, how long is the United States Government going to let her people be subject to such degrading humiliation, and how soon will the United States take adequate steps to protect her citizens in foreign countries, their lives, and property? Our cattle are driven away or butchered and our plantations devastated.

Mr. President, are we going to get proper relief, and when? This may seem to be a small matter to you, but it represents a lifetime of saving, toll, and privation to me, and is a matter to me of the gravest importance.

The CHAIRMAN. Were these posters that you had—these placards—did they purport to be signed by anyone?

Mr. MILLER. I do not know.

The CHAIRMAN. You do not know whether they were signed by "La Gran Liga"?

Mr. MILLER. No, sir; I do not. I just remember reading them, and I could read Spanish enough to know what they were. They were probably almost as long as that and probably that wide [indicating].

The CHAIRMAN. Did you hear of any anti-American organization at that time known as "La Gran Liga"?

Mr. MILLER. No, sir.

The CHAIRMAN. Well, what experience did you have later—what occurred with reference to the property?

Mr. MILLER. Not much of anything, only they commenced taking our cattle, and some time in 1912 we had a letter from our foreman

that told us they were driving away 506 of our cattle. I think I have that letter here from Secretary of State P. C. Knox that is an acknowledgment of it, and I have, further, this letter—a letter I got an acknowledgment from Secretary of State Knox.

The CHAIRMAN. It is an acknowledgment signed by Mr. Hilles, secretary to President Taft.

Mr. MILLER. Yes, sir.

The CHAIRMAN. After the reference of your letter to the State Department of the United States Government, did you hear anything further about it?

Mr. MILLER. Oh, yes; I had much correspondence; continued on up to August, 1912.

The CHAIRMAN. Did you get any material results?

Mr. MILLER. No, sir; they wanted to send Mexican soldiers there to guard our ranch, and I would not have them.

The CHAIRMAN. Why?

Mr. MILLER. For the simple reason that as soon as those soldiers are withdrawn it becomes just one continuous round of petty transactions, such as E. G. Church, of Tetahuecapa, Vera Cruz, experienced.

The CHAIRMAN. What was his experience?

Mr. MILLER. He asked for protection and soldiers were sent there, and as soon as they were withdrawn everything about his place that could be carried away was stolen, his rubber trees tapped and his cattle carried away and his store burned.

Senator SMITH. I have not the locus of your business there. Where were you at that time?

Mr. MILLER. About two hundred to two hundred and fifty miles south of Vera Cruz on the Tesanan and Popolapa Rivers.

The CHAIRMAN. Have you anyone in charge of that property now?

Mr. MILLER. We left a man in charge there, but he disappeared about 1915, and we have never heard of him.

The CHAIRMAN. Was he an American or a Mexican?

Mr. MILLER. No, sir; he was a Mexican.

The CHAIRMAN. Do you know what became of him?

Mr. MILLER. No, sir; I do not. He wrote us in one letter that he was invited to go to the mountains when they drove some cattle off and he said, "I had to run for my life." After that I do not know what became of him.

The CHAIRMAN. What was the sum of your personal investment there?

Mr. MILLER. Personally?

The CHAIRMAN. Yes; and your assets?

Mr. MILLER. I have a record here personally of putting in a little over \$70,000 gold.

The CHAIRMAN. How much have you gotten out of it?

Mr. MILLER. Nothing.

The CHAIRMAN. Did that loss mean anything to you?

Mr. MILLER. It meant all I had.

The CHAIRMAN. You had associates with you in business?

Mr. MILLER. Yes, sir.

The CHAIRMAN. Did they lose what they put in?

Mr. MILLER. All but two.

The CHAIRMAN. Two of them succeeded in getting something?



Mr. MILLER. Yes, sir; two women; and they invested down there and they invested practically all they had on letters that I had written up here, they took it, so later when I came up here and found that out, I made them a check covering that amount, I have the checks there. There is one. Just take them, I do not care if you read it [producing checks].

The CHAIRMAN. You mean you reimbursed those women?

Mr. MILLER. I reimbursed those women.

The CHAIRMAN. Who had invested on your advice?

Mr. MILLER. Yes, sir. That was all they had. There were some men there that lost all they had, but they did not invest on my advice and I let them take care of themselves. There are the two checks.

The CHAIRMAN. One for \$2,537.50 and the other for \$3,403. You felt morally obligated?

Mr. MILLER. Yes, sir; I did. I told them that the conditions down there were as safe as they were in the United States. It was at the time I met the sister.

The CHAIRMAN. You have a claim for damages with the State Department of the United States Government?

Mr. MILLER. No, sir.

Senator SMITH. Have you filed any with the Mexican authorities?

Mr. MILLER. Yes, sir.

Senator SMITH. Got recognition at the time?

Mr. MILLER. Well, it is with Taylor & Howett, of Mexico City, attorneys.

Senator SMITH. Any recognition of your claim against Mexico—has it been recognized in any way?

Mr. MILLER. Well, it has been denied. Now, I have no record of this, but this is the way it was told to me by one of my associates, that in driving away some of those cattle the Federal lieutenant gave a receipt for 506 or 526, I forget which, cattle that they took away, and the receipt was given to Taylor & Howett to present to the Secretary of Agriculture of Mexico for reimbursement, and he told him to come back in a few days, and in a few days when he went back he shrugged his shoulders and said, "We have no lieutenant by that name in the army."

The CHAIRMAN. Your claim is being contested or denied?

Mr. MILLER. It is not contested; it is just denied.

The CHAIRMAN. It is denied?

Mr. MILLER. Yes, sir.

The CHAIRMAN. You have not taken it up through this Government?

Mr. MILLER. No; and what is the use? I asked for protection in a dozen letters here, and I never got anything except they wanted to send Mexican soldiers down there, and they said, "If you do not want them, we do not see that we can do anything for you." There is only—

The CHAIRMAN. Just a moment, Mr. Miller. Did you make any request of the State Department of this Government to present for you a claim for damages against Mexico?

Mr. MILLER. No, sir; no, sir.

The CHAIRMAN. Why not; why didn't you?

Mr. MILLER. Well, for the first reason I did not think it was necessary, because I would not get any satisfaction out of it. We never have gotten any satisfaction out of any letter that we have ever written there. I will state further in regard to this that this was an American corporation incorporated in San Francisco and that any claim there—it might have been put in there later, but I have not heard of it; but any claim would be presented through the secretary of the company and not through me.

The CHAIRMAN. The State Department at that time, I think, had inaugurated a policy of not presenting claims to the Mexican Government for consideration. I think that is a matter of record. I do not know whether they follow that policy or not.

Mr. MILLER. Well, one might just as well say they are busted as to present a claim to the Mexican Government.

The CHAIRMAN. The department at the present time is furnishing blanks upon which any American can make claims for filing with our department, but they are not making statements that they will present the claims to the Mexican Government.

Mr. MILLER. Does that mean anything to us Americans who lost there?

The CHAIRMAN. They are receiving them and filing them away in the archives of our State Department. I received some blank forms yesterday, and if any claimants desire to make out their claims on those blanks they will be furnished by this committee or the clerk. What are the names of your property, so that we may have it for identification?

Mr. MILLER. San Antonio Plantation, Faulkner Plantation, and one of them, one tract known as the Boca de Coapa.

The CHAIRMAN. I believe that is all. Much obliged.

### TESTIMONY OF D. B. BOLLINGER.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Mr. JACKSON. D. B. Bollinger?

Mr. BOLLINGER. Yes, sir.

The CHAIRMAN. Where do you live?

Mr. BOLLINGER. Here at San Antonio at present.

The CHAIRMAN. Are you a citizen of the United States?

Mr. BOLLINGER. Yes, sir.

The CHAIRMAN. Native born?

Mr. BOLLINGER. Yes, sir.

The CHAIRMAN. Have you resided or been interested in Mexico at any time?

Mr. BOLLINGER. Yes, sir.

The CHAIRMAN. When and where?

Mr. BOLLINGER. I was in the State of Chiapas, I went there in 1905.

The CHAIRMAN. Where was that, you say?

Mr. BOLLINGER. The State of Chiapas, it is down below the Isthmus of Tehuantepec, down about 150 miles below the Isthmus on the Pan-American Railway.

The CHAIRMAN. What State were you born in?

Mr. BOLLINGER. State of Missouri.

The CHAIRMAN. In what did your property consist in the State of Chiapas?

Mr. BOLLINGER. Principally of land and cattle and horses and hogs.

The CHAIRMAN. Were you farming and ranching?

Mr. BOLLINGER. Yes, sir.

The CHAIRMAN. Were you living there yourself?

Mr. BOLLINGER. Yes, sir; had my family there, my wife and seven children.

The CHAIRMAN. How long did you remain there?

Mr. BOLLINGER. Seven years, about.

The CHAIRMAN. When did you leave there?

Mr. BOLLINGER. May, 1912.

The CHAIRMAN. Why did you leave?

Mr. BOLLINGER. I did not consider it safe to stay there.

The CHAIRMAN. Why was it not safe?

Mr. BOLLINGER. Well, they were taking possession of my property, taking my hogs and my cattle, and if I would protest—the only occasion—on one occasion they turned their horses in my corn field and I protested and they beat me up considerably and I protested then, and the “Jefe,” I protested to him, and they would not do anything with them.

The CHAIRMAN. Who was president of Mexico at that time?

Mr. BOLLINGER. That was about the time—oh, I think President Madero had been in a few months, I do not remember just exactly how long.

The CHAIRMAN. You protested to the nearest local authority, did you?

Mr. BOLLINGER. Yes, sir. I lived near the town of Tonalá, where we had all the protection that was necessary up to that time, and we could go to the “Jefe” with our troubles. I went to the “Jefe” that time and oh, yes, they were going to do wonders, but they did not do anything. They were just simply small bands there then.

The CHAIRMAN. You say you were beaten up. Were your injuries serious?

Mr. BOLLINGER. Why, it has proved serious in this knee. I was on the horse and they beat me in the back with machetes, they did not mean to kill me, I do not think, but they meant to give me a pretty good scare, which they did. That night I went to the doctors and they examined it, and there was little knucks broken off, it was not dislocated, but it was sore and tender here a right smart, and that was the last of that.

The CHAIRMAN. Were you able to dispose of your property before leaving?

Mr. BOLLINGER. No, sir; there was no sale for anything.

The CHAIRMAN. How many cattle did you have?

Mr. BOLLINGER. I had near 100 head, it was milk stock that I had taken from the State of Texas here, Durham cattle, and I bought some other at the dairy.

The CHAIRMAN. What became of them?

Mr. BOLLINGER. I could not say what became of all of them; there was a few left there—when I came away I left a good old Georgia negro on the place to take care of the stock and a Yankee American in the city to watch the negro, and it was not long till the negro died

or disappeared in some way, and the Yankee taken possession of the ranch, and I went back down there just at the time of the split of President Carranza and Villa. I thought there was going to be a little peace there and we could do something probably, and I went there to see what I had left, and the best I could learn the Yankee got about five or six thousand dollars and stuffed it in his pocket and skipped out to Guatemala and I did not get anything, not as much as tax money at that time. Then it was a little scarey over there again when they split, and Carranza was drawing back to Orizaba and Cordova with his army, and he had liberated his jails and penitentiaries and the peons from the haciendas there to get his army, and it was quite a mess at that time on the isthmus.

The CHAIRMAN. From your experience I presume that you learned that was the ordinary method of recruiting an army there, to deliver the jails and penitentiaries?

Mr. BOLLINGER. Yes, sir.

The CHAIRMAN. Then did you feel that with such an army as that you were protected?

Mr. BOLLINGER. No, sir; I did not consider them any army for protection or anything but Mr. Carranza.

The CHAIRMAN. Have you any recent news from that locality of Mexico?

Mr. BOLLINGER. There was——

The CHAIRMAN. From any authentic source?

Mr. BOLLINGER. There was one friend of ours remained there out of about 300, and I have received several letters from him; occasionally get letters from him with regard to our property down there.

The CHAIRMAN. You say there was about 300. You mean about 300 American families, or 300 Mexicans?

Mr. BOLLINGER. There was something like 200 families, something over 300 there; there was a good many Americans around in there that were engineers and conductors, and at Tonalá, the place where we lived near, was a regular hold-out place for them, it was a division on the railroad, and they had some little interest in ranches around there, and there was a good many men there without families, but there were something like 300 Americans there; there was a colony below me, a place called San Pedro.

The CHAIRMAN. An American colony engaged in farming and ranching?

Mr. BOLLINGER. Yes, sir.

The CHAIRMAN. What has become of them?

Mr. BOLLINGER. They all left, except this one, when I came out, a few days before that.

The CHAIRMAN. And the American railroad men, what became of them?

Mr. BOLLINGER. Most of them went to Guatemala. When I was back there, I think it was 1915, I only met one man out of the great number that was in the colony and around in the city there.

The CHAIRMAN. Did those who left dispose of their property before leaving?

Mr. BOLLINGER. They disposed of some, but there was no sale and I could not sell anything, and I just packed two or three trunks and I did not consider it safe to start with them, but we wanted a little

clothing and bedding and happened to get through with what we started with.

The CHAIRMAN. Well, all the other Americans, did they leave in the same way?

Mr. BOLLINGER. Yes, sir.

The CHAIRMAN. Did they take their property with them?

Mr. BOLLINGER. They taken almost nothing with them. They had invested their money in homes and were doing well and was well satisfied.

The CHAIRMAN. Most of them were men of moderate means and making homes there in Mexico?

Mr. BOLLINGER. Yes, sir; they felt it a safe investment at the time they went there.

The CHAIRMAN. With the intention of living there?

Mr. BOLLINGER. Yes, sir; some of them built very good homes; good residence houses.

The CHAIRMAN. Was it your intention to live there permanently, keep your family there?

Mr. BOLLINGER. Yes, sir; we had a very good school there, and down below the colony they had a very good school there. They had made considerable progress, planted cotton and put in a cotton gin, and there was a good sale for the cotton, and they were all prospering.

The CHAIRMAN. And the other Americans had gone there for the purpose of making homes?

Mr. BOLLINGER. Yes, sir.

The CHAIRMAN. I mean permanent homes?

Mr. BOLLINGER. Yes, sir.

The CHAIRMAN. And not done for the purpose of exploiting Mexico and making money and getting out of it?

Mr. BOLLINGER. Make permanent homes. I went more for my health; you see these fingers are stiff yet. I lived up in Eastland County, and it was cold and I went down there to the climate; it was even; there were no changes; it was even.

The CHAIRMAN. It was your intention and that of other Americans there to make your permanent homes and raise your families there in Mexico?

Mr. BOLLINGER. Yes, sir. We had intended to raise and educate our children there.

The CHAIRMAN. Who is the one that is left there?

Mr. BOLLINGER. Mr. J. W. Bedwell.

The CHAIRMAN. How did he happen to remain?

Mr. BOLLINGER. Why, all the way I can understand was that he thought more of the dollar than he did of his life. He wrote me that he had been caught four times and if some friends had not intervened they would have killed him. Once he went to Guatemala, one time. When I was there he would not sleep at home at night; he would slip out at night and sleep off somewhere. They set his house afire and robbed him of everything he had; and since, he wrote me, that they had rounded up—that was in 1917 or 1918—they rounded up 650 head of his cattle and killed them and skinned them for their hides; they did not care for the meat; they had plenty of that; they threw the meat away.

The CHAIRMAN. He still hangs on, as far as you know?

Mr. BOLLINGER. Yes, sir. I have a letter from him. I wrote to him twice during the last two months how they were getting along, but I have not heard from him. It is very likely that they have killed him by this time, because in his last letter, something over two months ago, he said, "Don't come down, conditions are worse than they have ever been; there are more men being killed than there has been, and less said about it."

The CHAIRMAN. That is all. Much obliged to you, Mr. Bollinger.

### TESTIMONY OF MR. C. W. ENDERS.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Mr. Enders desires to give a portion of his testimony in executive session, but he will make a statement now.

Where do you live?

Mr. ENDERS. I live in San Antonio at present.

The CHAIRMAN. Are you a citizen of the United States?

Mr. ENDERS. Yes, sir.

The CHAIRMAN. Native born?

Mr. ENDERS. Yes, sir.

The CHAIRMAN. Where—what State?

Mr. ENDERS. Indiana.

The CHAIRMAN. Have you lived in Mexico at any time?

Mr. ENDERS. Yes, sir.

The CHAIRMAN. When did you first go there?

Mr. ENDERS. I went to Mexico in August, 1891.

The CHAIRMAN. How long did you remain there?

Mr. ENDERS. I left there the last time December 19, 1916. I lived in Mexico during all that time.

The CHAIRMAN. Were you interested in Mexico during those years?

Mr. ENDERS. Yes, sir.

The CHAIRMAN. That is, had property interests there?

Mr. ENDERS. Yes, sir.

The CHAIRMAN. What was the character of your investment?

Mr. ENDERS. Well, I had investments in bank stock and mining stock and ranches.

The CHAIRMAN. Where were your ranches?

Mr. ENDERS. There was a company of us known—

The CHAIRMAN. If there is any question that you think you might not desire to answer publicly to avoid identification or have any other reason for not answering, why, you can just so state.

Mr. ENDERS. Yes, sir.

The CHAIRMAN. Where were your ranch properties?

Mr. ENDERS. The ranch—the organization—we organized a company, the Torreon Construction Co., the ranch was owned, Senator, by the Torreon Construction Co., of which I was a member. There were three of us organized the Torreon Construction Co., I. A. Porter, Sam Graham, and myself, organized under the laws of Arizona. We have one ranch, the ranch house was about 12 miles from Santa Rosalia, Chihuahua, and consists of 80,253 acres.

The CHAIRMAN. A cattle ranch?

Mr. ENDERS. Yes, sir; and farming as well.

The CHAIRMAN. Stocked with cattle?

Mr. ENDERS. It was at one time. We have another ranch out about 50 miles from San Pedro, in the State of Coahuila, which consists of 253,000 acres.

The CHAIRMAN. Stocked with cattle?

Mr. ENDERS. We had some stock on there; very little.

The CHAIRMAN. Were you in Torreon City at any time during the years that you were there?

Mr. ENDERS. I lived in Torreon from 1907 until 1916.

The CHAIRMAN. Did you see any fighting?

Mr. ENDERS. I have seen all the battles that they had there except one.

The CHAIRMAN. When was the first battle?

Mr. ENDERS. The first fight was during the Madero revolution: it started May 13, 1911, about in the outskirts of the town, about 9.30, and at 5 o'clock that evening—we lived five blocks from the market-house—and at 5 o'clock that evening the Maderistas were in our backyard and they held that part of the town until the night of the 14th, about 2 o'clock, if I remember right, and the general in charge of the Diaz troops evacuated the city on account of finding a lot of ammunition with wooden bullets; he did not have but about six or seven hundred men.

The CHAIRMAN. He found his cartridges loaded with wooden bullets?

Mr. ENDERS. Yes, sir. And the Maderistas commenced entering the town about daylight on the morning of the 15th.

The CHAIRMAN. Were they quiet and peaceable, and did they maintain order when they entered the town?

Mr. ENDERS. No, sir; there was no order whatever.

The CHAIRMAN. Any Chinamen in Torreon at that time?

Mr. ENDERS. Yes, sir; there was somewhere between 600 and 700, of which 303 were massacred by the Maderista troops that day.

The CHAIRMAN. Did you see any of the occurrences during that day—killing of the Chinamen?

Mr. ENDERS. I saw two Chinamen murdered.

The CHAIRMAN. Were the Chinamen fighting or making any defenses?

Mr. ENDERS. No, sir.

The CHAIRMAN. Well, just how were they massacred?

Mr. ENDERS. Well, the two that I saw they brought around from—we lived right back of the Chinese laundry, and they brought them around right in front of our house, and had them roped—of course, roped by the neck—and brought them around right in front of our house and shot them right in front of our house, shot them with Winchester, and I do not suppose the Chinamen were more than that far from the front of the gun [indicating] when they shot these two. Shortly afterwards they drug another Chinaman around and left the body with these two that they had just killed. Then the Mexican children—small children, from 8 to 10 years old—came around and kicked and hit the dead Chinamen in the face and spit on them. A little later they brought three more Chinamen around who were roped by the neck to the horn of the saddle, and they were roped 2

feet apart, I should judge; and they met a party there coming down the street who apparently notified them, so I understand, that they was not to kill any more Chinamen, and they took those Chinamen back around the corner, of course, out of my sight; I could not see them any longer, but shortly afterwards there was three more Chinamen killed over close to another American friend of mine, and I heard the three shots, and I suppose it was those same Chinamen.

The CHAIRMAN. It has been reported that they were killed on the streets and shot down.

Mr. ENDERS. That afternoon I left the house just as the clock struck 3. That was the first time I had went up town. I went up town on Avenida Juarez, and I came to the market, but it was so choked with peons—that is, the poor people.

The CHAIRMAN. Mexicans?

Mr. ENDERS. Yes, sir. It was almost impossible to get through, so I turned and went across the Avenida Hidalgo and walked up Avenida Hidalgo, aiming to what they called the old Chinese Bank Building, which was occupied at that time by the Chinese Bank; not on the corner, but just around the corner of the street. They massacred, so I was told, some 17 or 19 Chinamen in the second story of this building; but I do not remember myself; but I met a friend of mine by the name of Taylor, an American, who was a conductor on the road, on the branch running from Torreon to San Pedro, and he had a little camera with him, and I stopped and talked with him a little while there; and while I was talking with him they were bringing the dead Chinamen to the top of the stairway—the stairway leads to Avenida Hidalgo—and giving them a little start and rolled them down the step, the dead bodies, to the middle of the street; and I asked him if he had got any picture of them dead Chinamen, and he said no, he had not yet; he wanted to wait till they got more in the pile, and I left before he got a picture; and he told me afterwards that they took the camera away from him; but I understand there was pictures got of the dead Chinamen just the same, by whom I do not know. Well, I asked Taylor at this time—this must have been about 3.20—if they had got into the Chinese Bank safes. This was about 3.20. He said, "Not yet; they are still working on them." He said, "If you listen you can hear them." They got into the safes about 5 o'clock that afternoon. Emilio Madero was the general in charge of this supposed army—Maderista army.

The CHAIRMAN. What relation was he of the President?

Mr. ENDERS. A brother.

The CHAIRMAN. Do you know whether China made a claim against Madero for the massacre of those Chinamen?

Mr. ENDERS. I understand that during the Madero régime there was a settlement with China; that there was an agreement that they were to pay China 3,300,000 pesos, but to my knowledge there was never a cent of it paid.

The CHAIRMAN. Did you ever hear of any agreement to pay for any Americans down there?

Mr. ENDERS. No, sir. We had one small claim presented to the Madero Government. It did not amount to much. The morning of the 5th of May, when they entered, my partner, Mr. Sam Graham, had saddle horses apiece, very good ones, and they got them, about



the first thing, and then they occupied the back lot, the corral of our place, about 60 of them, and made a corral out of that, and we had some hay and corn that we kept out in the corral in a little horse stable, and we had hid a friends of ours' shotgun under some hay; they were there, and, thinking we would try and save that, we thought we would try and save his gun by hiding it in the hay, and when they made the corral there they fed up the hay and got the gun. We made a claim for about 325 pesos for the horse and gun, put our horses in for reasonable prices, and it went to Mexico City, and a man by the name of Parkenson, who was an attorney and the manager of the Continental Rubber Co., of Torreon, took care of our claim. It was returned several different times for more stamps to be put on it, and finally we refused to put any more stamps on it, and the last communication we had from them they wanted to know why we thought they ought to pay this claim, and we told them because they had stole the horses, and that was the end of it; we never heard any more from it.

The CHAIRMAN. Is that about as far as you care to go?

Mr. ENDERS. That is about as far as I care to go in my open session.

The CHAIRMAN. Well, we will ask you to appear in executive session.

### TESTIMONY OF PAUL C. RENARD.

(Witness was duly sworn by the Chairman.)

The CHAIRMAN. What is your name?

Mr. RENARD. Paul C. Renard.

The CHAIRMAN. Where do you live?

Mr. RENARD. I live in San Antonio.

The CHAIRMAN. Are you a citizen of the United States?

Mr. RENARD. Yes, sir.

The CHAIRMAN. Native born?

Mr. RENARD. No, sir.

The CHAIRMAN. Naturalized?

Mr. RENARD. Naturalized.

The CHAIRMAN. Of what country are you a native?

Mr. RENARD. Germany.

The CHAIRMAN. Have you had any experience in Mexico at any time?

Mr. RENARD. Yes, sir. I lived there from February, 1907, to September, 1913.

The CHAIRMAN. That was after you became a citizen of the United States?

Mr. RENARD. Oh, yes; considerably after.

The CHAIRMAN. Where did you live in Mexico?

Mr. RENARD. In Torreon, Coahuila.

The CHAIRMAN. You lived there during the years that you have mentioned?

Mr. RENARD. Yes, sir; all the time. I was out with the exception that we were called out once before in 1912.

The CHAIRMAN. What is your business?

Mr. RENARD. I am an architect and engineer.

The CHAIRMAN. Did you have any investment—property?

Mr. RENARD. No, sir; not more so than I had in my own office.

The CHAIRMAN. In your office?

Mr. RENARD. Yes, sir.

The CHAIRMAN. You say that you were called out in 1912?

Mr. RENARD. Yes, sir.

The CHAIRMAN. You mean you were warned out by the Americans?

Mr. RENARD. Yes, sir; Carruthers, the American consular agent, sent us word to get out.

The CHAIRMAN. George Carruthers?

Mr. RENARD. Yes, sir; George Carruthers.

The CHAIRMAN. What was the nature of his warning?

Mr. RENARD. Well, he had sent all American citizens a pamphlet coming from the United States office—I believe this is it here—that told us to make out a list of our possessions and leave the country for a while. This is the notification that we got from him. [Producing paper.]

The CHAIRMAN. When did you leave there last?

Mr. RENARD. On the 25th day of September, 1913.

The CHAIRMAN. What was the occasion of your leaving at that time?

Mr. RENARD. At the same time Mr. Carruthers furnished us a train and in fact made us leave. We were notified to get ready on very short notice and not to take any more than we could possibly have to take, because there would not be room on the train for anything superfluous, just to take enough to wear and eat.

The CHAIRMAN. Did you have any instruments or tools of your profession as engineer and architect?

Mr. RENARD. Well, I had my office in this same Chinese bank building—we called it Shanghai on the Avenida Hidalgo and Calle Zepeda, in the second story, and the first floor where the Chinese bank was on the corner, and on the side entrance on Avenida Hidalgo went up to my office upstairs. There were several other offices which were occupied by different people. I forget now who they were.

The CHAIRMAN. What became of your office furniture and instruments, etc.?

Mr. RENARD. When the Maderistas entered Torreon on the 15th of May, I believe on the morning, at daylight, my wife and I—of course I did not live where the office was; I lived on Avenida Morelos, right across from the "Jefetura," and they were fighting on our roof from Sunday morning to Monday morning. It was raining bullets; and my wife cooked coffee for the Maderistas and afterwards for the Federalistas. Well, we did not go out of the house until Tuesday afternoon; my wife said, "You do not know what will happen;" so I stayed home, and on Tuesday I went out a little, and my first walk was up to my office. There was a cordon of Maderista soldiers around it; I could not get in, so I went up to the hotel, some hotel, what is the name—well, some hotel where Emelio Madero had his suite—and I asked him for a permit to go to my office, and after a lengthy talk and examination he believed that I had an office up there, and he gave me a permit, and I went up there and found the doors were locked, but I found the panels were chopped out of my office door

and everything in there was stolen; they had taken out everything they could move, and what they could not take they had spoiled and ruined, tore up.

The CHAIRMAN. What became of the Chinamen, if you know?

Mr. RENARD. Well, when I came into the office, these wide stairs, the stairway was just smeared with blood and brains and matter and everything, and upstairs you could see where they had dragged the bodies. I personally have not seen them kill anyone.

The CHAIRMAN. There was quite a large Chinese colony in Torreon?

Mr. RENARD. Yes, sir; I judge there was about 700.

The CHAIRMAN. What were they engaged in generally?

Mr. RENARD. Well, they were growing garden fruits, and they were good workers there, too. They had the vegetable gardens on the outskirts of Torreon, and that was their main business, besides having little restaurants, but very few, and there is also a laundry, the main business that they engaged in, the business there, was the laundry. They had a large three-story brick building, which was modernly equipped for the laundry business, and they done a big business there.

The CHAIRMAN. Did you make any claim of any kind?

Mr. RENARD. Yes, sir.

The CHAIRMAN. To Madero or anyone else?

Mr. RENARD. Mr. Emilio Madero issued a proclamation that anyone who had been harmed or lost anything during the entrance of the Maderista soldiers should make a reclamation, which I have made at that time, and it is decreed to be signed by two Mexicans, Mexican citizens, who have investigated themselves, and here is a copy of it. [Producing paper.] It does not amount to very much. It is the form that Emilio Madero wanted.

The CHAIRMAN. Did you ever receive any remuneration?

Mr. RENARD. No, sir.

The CHAIRMAN. Or any payment on it at all?

Mr. RENARD. No, sir.

The CHAIRMAN. Did you file any claim through Mr. Carruthers or otherwise?

Mr. RENARD. Yes, sir; through Mr. Carruthers, or the State Department at Washington.

The CHAIRMAN. What was the amount of the claim?

Mr. RENARD. 996 pesos.

The CHAIRMAN. The same as this?

Mr. RENARD. Yes, sir. Of course, it was a long time ago.

The CHAIRMAN. Do you know whether any demand or request was made for the payment of this by this Government?

Mr. RENARD. No; I do not know.

The CHAIRMAN. If there was any request or demand for payment, you have not heard from it?

Mr. RENARD. No; I have not. I heard from them, yes, sir, inasmuch as the Mexican Government informed me once that I had to send stamps there, and I sent them, and I had to send stamps again, and Mr. Henry Lane Wilson who was there at the time——

The CHAIRMAN. Did they give you the stamps?

Mr. RENARD. No, sir; no sir, I had to buy them. They returned me one stamp, saying inasmuch as I had already stamped that document, it was not necessary to stamp it again.

The CHAIRMAN. What was the reason for requesting you to re-stamp it?

Mr. RENARD. That is more than I know.

Senator SMITH. There had been a change of the administration?

Mr. RENARD. Well, yes—well, no; this was during the Madero administration. Mr. Madero was still in.

The CHAIRMAN. You heard that Madero took out of the treasury \$750,000 and repaid himself for expenses during the revolution?

Mr. RENARD. No; I did not hear that.

The CHAIRMAN. You did not hear that?

Mr. RENARD. No; I did not hear that, but I think he took more than that though.

The CHAIRMAN. I think that is all. Very much obliged to you, Mr. Renard.

### TESTIMONY OF MISS ANITA WHATLEY.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Are you a citizen of the United States, Miss Whatley?

Miss WHATLEY. I am.

The CHAIRMAN. Native born?

Miss WHATLEY. Yes, sir.

The CHAIRMAN. What State?

Miss WHATLEY. Texarkana, Tex.—nearly in Arkansas.

The CHAIRMAN. What is your business?

Miss WHATLEY. I am modern language supervisor for the State department of education.

The CHAIRMAN. Of this State?

Miss WHATLEY. Of this State.

The CHAIRMAN. Engaged in educational work?

Miss WHATLEY. Yes, sir.

The CHAIRMAN. Have you ever been in Mexico?

Miss WHATLEY. Eight years, about.

The CHAIRMAN. During what years?

Miss WHATLEY. From about 1899 to—no, from 1900 until 1907, consecutively, and then the summers from 1907 till 1910, and the year from 1910 to 1911.

The CHAIRMAN. Where were you in Mexico in 1911?

Miss WHATLEY. Parral, in the State of Chihuahua, the southern part of the State.

The CHAIRMAN. Parral, it is a mining city?

Miss WHATLEY. Yes, sir.

The CHAIRMAN. Did you observe conditions in Parral at that time?

Miss WHATLEY. Yes, sir.

The CHAIRMAN. Have any particular reason to pay any attention to them?

Miss WHATLEY. Several.

The CHAIRMAN. Just state for the benefit of the committee your experiences there, Miss Whatley.

Miss WHATLEY. Well, I suppose that I shall have to start with explanations somewhat about the family. My father was in Mexico for

his health. He was a physician, but he was forced to retire from practice in about 1907, I think it was. We were engaged also in the dairy business.

The CHAIRMAN. Where?

Miss WHATLEY. There in Parral.

The CHAIRMAN. At Parral?

Miss WHATLEY. Yes; which was, of course, conducted in town, and we had a ranch 40 miles from town. My father had spent from 1910 till 1911 on the ranch on account of his health, and he was better off there than he was in town. That left my mother practically with the responsibility of running the dairy business. We had a good deal of fine stock cattle, I suppose, oh, in the neighborhood of 200 registered Jersey cows, and those that were not registered were subject to registration. About 60 of them were then in town. On the night of July 4, 1911, my mother was awakened by someone having hold of her throat. Of course, you understand, nothing was going on then, and the house was open. She thought it was a dispute between two milkmen; one had been trying to drive the other off. So she thought that was what it was, but as soon as she awoke she found the room full of armed men. They asked for our arms. We had a little .22 rifle. So, thinking it was in our room upstairs where my sister and I slept, she came up there and knocked on the door and told me to get up; and I asked her why, and she told me there was robbers and they asked her for the rifle, and I took it downstairs and gave it to them. Then they asked me for keys, and I gave them the keys, and they took the money that was in the drawer, and they said, "This is not enough." They said, "We have information that you have about \$5,000 in the house."

Of course, it was the beginning of the month and the time when all the bills were to be paid, and they presumed there would be a good deal of money in the house. I said, "We haven't." "Oh, yes; but we know you have it." One man acted as spokesman, and said, "We know you have it; we have the information you have money in the house;" and from the way they acted, they knew how things were run around there absolutely. And the leader said, "Take these three girls"—my two sisters and myself—"take them out and shoot them." Nobody said anything for a moment or two, nobody made any moves, and in a moment he took me by the arm and said, "You come with me." Well, of course, my mother grabbed me and said, "No," I could not go. I made her turn me loose. So they took me out in the patio, a man on each side, and the leader walked behind, and they stood me up against a wall, and they stepped back and he raised his rifle and said, "Will you give me the money?" I said, "No, we have not got it." He said, "We know you have; will you give it to us?" And he said then, "You Gringos,"—what they call Americans—"love money better than you do your life." I said, "No, if I had it I would give it to you." He said to one of the men, "Give me your knife," and he came close then and took the knife and held it to my throat, didn't hurt me, though, and then he turned me loose; there was a little sidewalk there, and I stepped down on that, and he said, "We are going to kill you and cut off your fingers and toes," and he took off my bedroom slippers and did cut my foot, not very much—it hurt a little bit anyway—and one of the men said, "Let's go—these people

haven't any money, let's go," and they left. The next morning this man that we were afterwards sure had something to do with the robbery, came to my mother and said, "I know two of the men who were here last night: I saw them on the street this morning, and if you will protect me, I will go down to the comandancia and denounce them." Well, of course, we sent for my father, and he came in then about that time, and this man gave him the information, and they went down and they had them arrested; and shortly after that they took my mother and we down to the jail, and they lined everybody up—all the prisoners up in the patio, and they took us out one at a time and said, "Now, see, you look at these people and see if there is any one here who looks like any of the band that was at your house." Well, my mother did not identify any of them, but I picked out a man whom I was sure was the leader. And the judge said, "Well, he is convicted, just as good as convicted." About a month after that, I believe, they changed judges and they turned the man loose and that was the last I heard of it.

**THE CHAIRMAN.** Who was in control of Parral at this time; what faction?

**MISS WHATLEY.** The Maderistas.

**THE CHAIRMAN.** The Maderistas? There was no male member of the family in the house?

**MISS WHATLEY.** My older brother, who had a stroke of infantile paralysis when he was a child, and the man that was guarding him snapped his pistol at him and would have shot him if the thing had gone off.

**THE CHAIRMAN.** He was not able to protect you?

**MISS WHATLEY.** He was not able to protect us.

**THE CHAIRMAN.** Did your family remain in Parral?

**MISS WHATLEY.** My mother remained there until February; I left in September—I and my two sisters came back to Austin to school, but my mother stayed until February, 1912, and then she came out, and my father and brothers stayed until Gen. Pershing went in.

**THE CHAIRMAN.** What became of the property, the dairy?

**MISS WHATLEY.** Well, it has just dwindled away little by little, stolen a little bit here and a little bit there, until it is almost all gone; the ranch is still there; all the fences are gone, all the equipment of every kind is gone.

**THE CHAIRMAN.** Has the family made any claim for damages?

**MISS WHATLEY.** We just finished making out our application the other day.

**THE CHAIRMAN.** Filing it with our State Department—United States Government?

**MISS WHATLEY.** Yes, sir.

**THE CHAIRMAN.** What was the amount?

**MISS WHATLEY.** About \$60,000.

**THE CHAIRMAN.** And your father and brother came out after Gen. Pershing went in?

**MISS WHATLEY.** Yes, sir.

**THE CHAIRMAN.** Why?

**MISS WHATLEY.** Well, they were advised by the American consul to come out. It is impossible for my father to live in this climate.

**THE CHAIRMAN.** That is all. Thank you very much.

Thereupon, at 12.05 o'clock p. m., the committee recessed until 2 o'clock of the same day.)

AFTER RECESS.

**TESTIMONY OF C. W. GURLEY.**

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. You are a citizen of the United States, are you?

Mr. GURLEY. Yes, sir.

The CHAIRMAN. Native?

Mr. GURLEY. Yes, sir.

Mr. JACKSON. Talk louder.

The CHAIRMAN. Native born?

Mr. GURLEY. Yes, sir.

The CHAIRMAN. What State?

Mr. GURLEY. State of Texas.

The CHAIRMAN. Where do you live?

Mr. GURLEY. Del Rio.

The CHAIRMAN. How long have you been living there?

Mr. GURLEY. Well, about seven or eight years.

The CHAIRMAN. Where did you live before going to Del Rio?

Mr. GURLEY. Crockett County.

The CHAIRMAN. What have been the conditions in and around Del Rio from 1910 and 1911 up to the present time, so far as you know?

Mr. GURLEY. It has been—or has been—the town has been pretty tough.

The CHAIRMAN. Because of what?

Mr. GURLEY. Of the Carranza Government—or revolution.

The CHAIRMAN. How did the disturbances in Mexico affect you at Del Rio?

Mr. GURLEY. Well, they taken a lot of stuff away from me over there—cattle, horses.

The CHAIRMAN. Was that on the Mexican side?

Mr. GURLEY. That was on the Mexican side; yes, sir.

The CHAIRMAN. You had cattle, horses—stock on the Mexican side?

Mr. GURLEY. Yes, sir.

The CHAIRMAN. Whereabouts, how far from the border?

Mr. GURLEY. Well, some of them were about 75 or 80 miles, and some of them closer, not over 6 or 7 miles.

The CHAIRMAN. Did you own the property on which they were grazing or have it leased?

Mr. GURLEY. Had it leased.

The CHAIRMAN. What have been your losses during that time, approximately?

Mr. GURLEY. Well, I don't know; hardly, I expect, forty-five or fifty thousand dollars' worth of stuff, first and last.

The CHAIRMAN. When did you put in stock?

Mr. GURLEY. Well, I went over there and bought a lot of stuff—that was taken away from me in 1915.

The CHAIRMAN. What was it?

Mr. GURLEY. Cattle.

The CHAIRMAN. About how much?

Mr. GURLEY. Well, I had 600 head taken away from me in one bunch of cattle; and then I had 180 steers, 4 and 5 years old and up, taken away from me in another bunch.

The CHAIRMAN. Who did that?

Mr. GURLEY. Well, I don't know whether the Carranza government or the Villistas; I suppose Carranza.

The CHAIRMAN. Well, you say you "bought" them; you mean you bought back your own stuff?

Mr. GURLEY. Well, no; I bought them, and they were taken away from me after I bought them.

The CHAIRMAN. I see.

Mr. GURLEY. Yes, sir.

The CHAIRMAN. You had bought them in Mexico?

Mr. GURLEY. Yes, sir.

The CHAIRMAN. And you had grazing permits or rights there?

Mr. GURLEY. Yes, sir.

The CHAIRMAN. What became of them—did you ever recover them?

Mr. GURLEY. No, sir; never did. I don't know—they were, I reckon, butchered and ate, shipped, and everything else.

The CHAIRMAN. Couldn't you find any trace of them? What became of them?

Mr. GURLEY. Well, no, sir; I couldn't.

The CHAIRMAN. Were there no authorities or Federal soldiers, governmental representatives, anywhere in the neighborhood?

Mr. GURLEY. Yes; but you never could get anything out of them.

The CHAIRMAN. Did you make any effort—

Mr. GURLEY. Yes, sir.

The CHAIRMAN. To get assistance from them?

Mr. GURLEY. Yes, sir.

The CHAIRMAN. To whom did you go?

Mr. GURLEY. Well, I went to several of their officers, and they never did know anything.

The CHAIRMAN. Did they try to get any information?

Mr. GURLEY. They said they did.

The CHAIRMAN. To get your property?

Mr. GURLEY. They said they did; that is all I know.

The CHAIRMAN. But if they did use any efforts they were without results?

Mr. GURLEY. Yes, sir.

The CHAIRMAN. So far as you were concerned?

Mr. GURLEY. Yes, sir.

Senator SMITH. Do you know of their making any efforts?

Mr. GURLEY. No; I do not.

The CHAIRMAN. Are those the only losses you have incurred, those that you spoke of—the steers and cattle?

Mr. GURLEY. Well, yes; that was about all; yes, sir.

The CHAIRMAN. Have there been any disturbances on this side of the border during the time that you have been there—in your vicinity?

Mr. GURLEY. Yes, sir.



The CHAIRMAN. From what sources?

Mr. GURLEY. Well, the Villistas and Carrancistas had several fights over there, pretty close, during this time—1914, I believe—1915.

The CHAIRMAN. Did that cause any disturbances on this side?

Mr. GURLEY. Some; yes, sir—right smart.

The CHAIRMAN. Have there been any raids across the border?

Mr. GURLEY. Well, not in that vicinity; no, sir.

The CHAIRMAN. The raids have occurred below you principally?

Mr. GURLEY. Yes, sir; and above.

The CHAIRMAN. And above?

Mr. GURLEY. Yes, sir.

The CHAIRMAN. In the immediate vicinity of Del Rio, then, on this side?

Mr. GURLEY. No, sir; none to amount to anything; there has been a few come over and steal horses and take them across, but none to amount to anything.

The CHAIRMAN. All right; I am very much obliged.

### TESTIMONY OF A. D. ALVIN.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Mr. JACKSON. What are your initials, Mr. Alvin?

Mr. ALVIN. A. D.—A. D. Alvin.

The CHAIRMAN. Where do you live?

Mr. ALVIN. At present in San Antonio.

The CHAIRMAN. Are you a citizen of this country?

Mr. ALVIN. Yes, sir.

The CHAIRMAN. Native born?

Mr. ALVIN. Yes, sir.

The CHAIRMAN. From what State?

Mr. ALVIN. Iowa.

The CHAIRMAN. Have you ever lived at any time in Mexico?

Mr. ALVIN. Yes, sir.

The CHAIRMAN. During the last 10 years?

Mr. ALVIN. Yes, sir.

The CHAIRMAN. At what time and where?

Mr. ALVIN. I went to Mexico in the early spring of 1908, about April.

The CHAIRMAN. How long did you remain?

Mr. ALVIN. I remained there until June, 1912.

The CHAIRMAN. In what portion of the Republic were you?

Mr. ALVIN. I went to Guadalajara, and from Guadalajara to Manzanillo, and from Manzanillo to a point 112 miles south of there, on the coast, the nearest town to the proposition I went to was Coalcoman, in the State of Michoacan, I was employed there by a timber company, stayed there a few months, and then I went to Manzanillo. I worked for the Southern Pacific Railroad during the remainder of 1908 and until the spring of 1909; I met up with an Austrian that was working there, and we concluded that we would go down to Acapulco.

The CHAIRMAN. In what year was that?

Mr. ALVIN. That was in 1909 I went there.

The CHAIRMAN. Where were you in 1911?

Mr. ALVIN. At Acapulco.

The CHAIRMAN. You remained there?

Mr. ALVIN. Yes, sir.

The CHAIRMAN. What were the conditions as to violence or peace in Acapulco, in the portions of Mexico you were familiar with in 1911 to the present time?

Mr. ALVIN. Well, from the time I left there, it commenced in 1911, the Madero revolution, and as long as that lasted, we had everything that we wanted, everything was peaceful; that is, and until after Madero was elected. Then Zapata rose in the State of Morelos, and his gang worked all through Guerrero, came down through there and cleaned out everything they could get hold of, irrespective of nationality; and I was posing as a Canadian at the time, always went to the English consul, because I found out that the American consul wouldn't give any protection—so as long as I was considered a Canadian or English subject I was not molested, and when the Zapatas came there they came with the intention of killing me, but as soon as they were told by the people working for us that we were Austrian and English subjects they said, well, they wouldn't kill us, but would take what we had, which they did, and let us go.

The CHAIRMAN. You were working in Acapulco at this time?

Mr. ALVIN. Not—I was 18 kilometers southeast, on the ranch.

The CHAIRMAN. And whom were you working for?

Mr. ALVIN. Myself.

The CHAIRMAN. Yourself?

Mr. ALVIN. I had 1,000 acres leased.

The CHAIRMAN. Did you have stock?

Mr. ALVIN. Yes, sir.

The CHAIRMAN. Agricultural implements?

Mr. ALVIN. Yes, sir.

The CHAIRMAN. What became of them?

Mr. ALVIN. Why, those people took them—they took everything they could, and what they couldn't take they burned up right before my eyes—burned my barn and houses and everything—I kept all my machinery right in my barn, you see, when I wasn't using it—they set fire to the barn, burned that and burned the house with all the household goods.

The CHAIRMAN. They claimed to be Zapatistas?

Mr. ALVIN. Yes, sir.

The CHAIRMAN. And in revolution against the Madero government?

Mr. ALVIN. Yes, sir.

The CHAIRMAN. And you left there at that time, did you?

Mr. ALVIN. Yes, sir; I left there at that time. They left me one horse that they couldn't catch, and I packed what few little things I could save from the fire and struck out across the country.

The CHAIRMAN. Were there any federal soldiers or officials anywhere in the country—any Maderistas?

Mr. ALVIN. About 18 miles, at Acapulco, there was a garrison of federal soldiers, but they could scarcely give protection to the people of Acapulco direct.

The CHAIRMAN. Yes; could not protect the surrounding country?

Mr. ALVIN. No, sir.

The CHAIRMAN. The rural districts?

Mr. ALVIN. No, sir.

The CHAIRMAN. Or, at least, did not do it?

Mr. ALVIN. Did not do it, and, in fact, did not try; never made an effort to do it.

The CHAIRMAN. Well, did you leave Mexico at that time, after the—

Mr. ALVIN. I did.

The CHAIRMAN. Have you ever received any remuneration of any kind?

Mr. ALVIN. No, sir; not a cent.

The CHAIRMAN. For your loss? Have you made any claim against the Mexican Government?

Mr. ALVIN. No, sir; I have not.

The CHAIRMAN. Did you at that time file any list of the property or any claim with the American consul or any other authority?

Mr. ALVIN. No, sir.

The CHAIRMAN. And you have made no claim?

Mr. ALVIN. No, sir. I didn't see as there was any use, as I have lost my lease—I had my lease with me, and all my books, in which I kept account of everything. I had with me and I had it in my suit case and expressed it from Mobile to Birmingham a year ago last May, this last May, and have never received it.

The CHAIRMAN. So you have lost your records?

Mr. ALVIN. I have lost my records; yes, sir.

The CHAIRMAN. You would be able, I presume, to testify as to your lease?

Mr. ALVIN. Oh, yes; I could swear to my lease.

The CHAIRMAN. Approximately what was it?

Mr. ALVIN. Approximately—well, approximately it was \$50,000 Mexican or \$25,000 American money.

The CHAIRMAN. That is, of yourself and your partner?

Mr. ALVIN. Yes, sir; the two of us.

The CHAIRMAN. That is all; we are very much obliged—just one moment: Of course, Acapulco and this district in which you were located is on the west coast of Mexico?

Mr. ALVIN. It is on the west coast of Mexico; yes, sir.

The CHAIRMAN. Just relate what else you know about occurrences in Mexico?

Mr. ALVIN. This was in 1908 after the—or during the—Madero revolution: A man by the name of Godman, representing a cocoanut plantation—representing a company of Seattle, he was manager; and he and his three sons were considerable stock owners, and when the Madero people began to come in there—that is, the soldiers from the north—prior to the battle of Acapulco, they came to this place, and they heard of them coming, so Mrs. Godman and a younger son and Mr. Godman went to Acapulco, leaving the two older boys at home; and one of them was a doctor, about 35 or 36 years old, a dentist, and the other was a man about 26 or 27, and they had an interpreter. At night some one rapped on the door, and the older one of the Godman boys—I think his name was Everett, if I ain't mistaken—and he went to the door to open it and let them come in and

take whatever they wanted, and just as he opened the door they fired on him and killed him instantly, right in his own door, without any protest at all. But the other brother and interpreter got out the back way and had to stay in the woods all night—the rest of the night: and they got assistance to bury the brother the next day, and went to Acapulco. Now, I personally know of those Godmans and was on the ranch, and I know that they had no antipathy toward the Mexicans on either side, and Mr. Godman made quite a good many claims against the Madero administration, trying to get satisfaction, but to my knowledge he never did.

The CHAIRMAN. Thank you very much.

### TESTIMONY OF JAMES E. ELLIS.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Where do you live?

Mr. ELLIS. San Antonio.

The CHAIRMAN. You are a citizen of this country?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. Native born?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. Where?

Mr. ELLIS. San Antonio.

The CHAIRMAN. You were born in San Antonio?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. Have you lived in any part of Mexico within the last 10 years?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. Where, and how long?

Mr. ELLIS. Well, I lived in Mexico about 18 years.

The CHAIRMAN. But for the last 10 years—I say during the last 10 years, during the revolutionary period, since the Diaz administration?

Mr. ELLIS. Why, at Matamoros, Mexico.

The CHAIRMAN. Matamoros?

Mr. ELLIS. And later at Monterrey.

The CHAIRMAN. In what years?

Mr. ELLIS. Well, I was at Monterrey in—at Matamoros during the revolutions of 1913-14.

The CHAIRMAN. And later at Monterrey?

Mr. ELLIS. And later at Monterrey—1915 and 1916 at Monterrey.

The CHAIRMAN. Were you in business of any kind there?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. What?

Mr. ELLIS. Well, I was—I was the owner of a café in Matamoros.

The CHAIRMAN. In Matamoros?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. Did you have any particular reason for leaving Matamoros?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. What was it?

Mr. ELLIS. Well, they put me out of business.

The CHAIRMAN. Who?

Mr. ELLIS. The officials, Carranza government.

The CHAIRMAN. Well, you mean the officials of the army?

Mr. ELLIS. Army officials; yes, sir.

The CHAIRMAN. Or civilian officials?

Mr. ELLIS. Army officials.

The CHAIRMAN. How did they put you out of business?

Mr. ELLIS. Well, on the credit basis.

The CHAIRMAN. Did you have to credit them?

Mr. ELLIS. Why, in a way I did—to a certain extent; at least, I thought I did.

The CHAIRMAN. Was there any reason why you felt that you had to extend credit to them?

Mr. ELLIS. I beg your pardon.

The CHAIRMAN. Was there any reason why you felt that you had to extend credit to them?

Mr. ELLIS. Well, I—I thought I had to—it would be best to extend some credit at first to kind of get their friendship and good will.

The CHAIRMAN. Well, did you get it?

Mr. ELLIS. Why, no, sir.

The CHAIRMAN. Do you mean to say that they ate you out?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. And then what became of your property?

Mr. ELLIS. Why, they took it away from me.

The CHAIRMAN. Who took it away from you?

Mr. ELLIS. Why, the building that I was occupying when they took the town belonged to a Spaniard, and they confiscated this building on account of this Spaniard's son being a federal government employee, and he came to this side of the river, and they took this old man's property, demanded me to pay my rent to the jefetura de hacienda, which I did; and later on, why, this—I was getting down very low in funds, and the Spaniard was permitted to come back to town; when he came back, why, I was called up into court and asked why I had not paid my rent to this Spaniard for a year or so; I says, "I have paid the rent, I have been paying it to the jefetura." And I showed him my receipts. He says, "Those receipts are no good. This man's property has been given back to him, and he was just put out for a temporary time; we find he is a friend of our cause, and you will have to pay him this money that was coming to him." And I didn't have the money so I—they took what I had for the—

The CHAIRMAN (interposing). For what they claimed was the debt?

Mr. ELLIS. Yes, sir. The man that owned the building didn't get it. Then they took it, and the next day it was turned over to a friend of Carranza, an officer, and he opened up business with it, with my fixtures and furniture.

The CHAIRMAN. Well, now, as I understand you, first they went just as far as you could allow them to go as to the matter of credit, and then on the theory that the owner of the property was not a friend or had a son who was not their friend, they took away the property?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. And compelled you to pay your rent to the public officials there?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. To the Mexican officials?

Mr. ELLIS. I paid it to the army officials.

The CHAIRMAN. Then the Spaniard came back and the Mexican court officials ordered you to pay him the back rent?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. Is that it?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. And when you did not do that, why, then the Mexican officials took the fixtures, etc.?

Mr. ELLIS. Yes, sir; the city authorities came right over.

The CHAIRMAN. Instead of turning it over to the Spaniard, to pay his debt, they turned it over to themselves?

Mr. ELLIS. They moved it out the day after I closed the door and handed the key to the Spaniard, why, they came and got the key and moved all this stuff out.

The CHAIRMAN. He turned it over to somebody——

Mr. ELLIS. To another fellow.

The CHAIRMAN. You said a Carranza official? Was he a military official or civil?

Mr. ELLIS. He was a military official; he was a colonel in the Carranza army.

The CHAIRMAN. And he ran the restaurant?

Mr. ELLIS. Yes, sir. His name was Lucio Rendon.

The CHAIRMAN. Did you locate then at Monterrey?

Mr. ELLIS. Afterwards I went to these people and tried to—they always told me they were going to pay me, and I met a general in the Mexican Army—here in the United States; he was over on this side and he told me to come to Monterrey. He seemed to be very friendly with me and I went to Monterrey—and my profession, I am a railroad conductor—and he gave me a passenger run between Monterrey and Torreon, and saying he was just giving it to me as——

The CHAIRMAN. Compensation.

Mr. ELLIS. Compensation, and wait until things got better and they would pay me.

The CHAIRMAN. How long did you continue on this run?

Mr. ELLIS. Until Gen. Pershing went into Mexico. I was discharged.

The CHAIRMAN. The railroad, was that a part of the national lines?

Mr. ELLIS. Yes, sir; operated by the Carranza army at that time.

The CHAIRMAN. You never received your pay then?

Mr. ELLIS. No, sir.

The CHAIRMAN. You never received any compensation? And how much were your damages?

Mr. ELLIS. Well, I—my damages—my books show some fourteen—a little over \$14,000.

The CHAIRMAN. Mexican money?

Mr. ELLIS. Mexican money; yes, sir.

The CHAIRMAN. About \$7,000 gold?

Mr. ELLIS. Yes, sir.

The CHAIRMAN. Have you ever filed any claims?

Mr. ELLIS. Why, the one I am making up now, but on account of my mother's health; why, she is unable to come down town for

me, to get my birth certificate; as soon as she is able, why, we will have that completed.

The CHAIRMAN. You will forward that and file it with the State Department?

Mr. ELLIS. Yes, sir; I have my application blanks all ready.

The CHAIRMAN. That is all. We are much obliged to you.

### TESTIMONY OF MR. H. M. HANDSHY.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Mr. JACKSON. State your name.

Mr. HANDSHY. H. M. Handshy.

The CHAIRMAN. You are a citizen of the United States?

Mr. HANDSHY. Yes, sir.

The CHAIRMAN. Native born?

Mr. HANDSHY. Yes, sir.

The CHAIRMAN. Where? What State?

Mr. HANDSHY. Zanesville, Ohio.

The CHAIRMAN. Have you lived in Mexico any time during the last 10 years?

Mr. HANDSHY. Yes, sir.

The CHAIRMAN. What years?

Mr. HANDSHY. Principally the last 15 years, off and on.

The CHAIRMAN. But I mean what time during the last 10 years: since the revolutionary disturbances in Mexico?

Mr. HANDSHY. Well, I was down at Tampico, and I was at Laredo, and at Magistral, Parral, right south of Parral, two years ago.

The CHAIRMAN. Two years ago?

Mr. HANDSHY. Yes, sir.

The CHAIRMAN. What were you doing at Magistral?

Mr. HANDSHY. I was representing the National Mines & Smelters Co., as bullion conductor and freight—hauling freight on trucks.

The CHAIRMAN. Were there any disturbances around Parral while you were there?

Mr. HANDSHY. No, sir; not at that time.

The CHAIRMAN. How did you—did you have any safe conduct of any kind or any passports or papers?

Mr. HANDSHY. Yes, sir; I had passports from the United States consul, and Mexico.

The CHAIRMAN. From whom in Mexico, if you remember?

Mr. HANDSHY. From the Mexican consul at El Paso.

The CHAIRMAN. Did you know or come in contact with any of the Mexican leaders around there?

Mr. HANDSHY. Yes, sir; we had a guaranty from the time we left El Paso to pass through Magistral in safety, and when we got to Parral—south of Parral, I think, about one day or two days' ride—we had an escort of 400 soldiers, and they escorted us clear through Magistral, and when we got to El Oro there were about 900 soldiers joined in there with those 400, and just a few days before we got there they had a battle with Villa, and it seemed like they ran him into the mountains; and we went on to Magistral with our escort and

10 trucks, and unloaded—we had three big 10-ton trucks loaded with provisions—we unloaded there, and started—were possibly a block below the smelter—had just about got started—when Villa came in Sunday morning and took the town, put the town to the bad, sacked the town, killed a good many people, and we took a truck load of provisions and went across the mountains to El Oro, about 2 miles away.

The CHAIRMAN. When Villa was at Magistral now and sacked the place, the Carrancistas were at El Oro?

Mr. HANDSHY. Yes, sir.

The CHAIRMAN. About how many miles?

Mr. HANDSHY. Well, you could hear the guns crack over there very distinctly, it wasn't very far, about walking distance; some of the men who worked with me lived in El Oro.

The CHAIRMAN. About 2 miles?

Mr. HANDSHY. Something like that—just over the hill.

The CHAIRMAN. So you went there?

Mr. HANDSHY. Yes, sir; went over there and stayed two days, and then came back—we saw Villa had gone—we sent scouts along there and they said they had all left, and we went back. Smith came back in his car the next morning and took the secretary—about 9 o'clock that morning Smith came in, or 10 o'clock—I was at the smelter and Smith was down at the office; he came in—

The CHAIRMAN. Who?

Mr. HANDSHY. Villa and his bunch, and he only had about three or four hundred men, the balance were out at the camp some place, he had about three or four hundred more out there; he didn't need them; he came in, blew the smelter up, dynamited everything, hung Smith and killed his father-in-law and about four other Mexicans out there, and ran the rest into the mountains. Of course, he caught Smith and myself up the road after shooting at us a few times, they headed us off, after a little bit had a little trial out there, took Smith out and hung him, put me under guard and kept me under guard; threw a rope around me but didn't do anything—Villa kept me and treated me well—Villa and I were good friends, I kept his horses; and he went out to the smelter, by that time they got the dynamite out of the shaft and commenced blowing the power plant up; and we stayed around there then all that day, and the Carranza soldiers over the mountain knew all this was going on, because they came along there and we told them what was going on—they knew all about Smith—and they didn't venture to come down to assist us at all. And Pancho told me to stay there a while; I stayed there that day and that night, he gave me plenty of provisions, and went down to where his other men were, about 3 miles.

The CHAIRMAN. That was Pancho Villa?

Mr. HANDSHY. That was Pancho Villa. And the government didn't make any attempt to come over and help us out any. And Pancho told me I had better go to El Oro, that they were going to leave there and go that night; so I got up and walked to El Oro and told them the news and what had happened. So I went over there the next morning—or a couple of days later—and made an estimate of the damage done; I didn't see anything over there, didn't see anybody, the buildings were all burned down.

The CHAIRMAN. You say you did make an estimate?



Mr. HANDSHY. Yes, sir.

The CHAIRMAN. What was the investment in your power plant?

Mr. HANDSHY. Well, I suppose the whole business, about \$500,000. They blew up, dynamited the plant, the gas plant and engines and smelter.

The CHAIRMAN. Did he tell you why he destroyed it?

Mr. HANDSHY. Yes, sir. He said he wanted to show the American people and the public at large that Carranza couldn't carry out his guaranty, that it was worthless—that was the truth, he couldn't carry it out—he told me to bring that proof to the United States—and so I did. I reported it to Zach Cobb, at El Paso and to the American and English consuls at Chihuahua.

The CHAIRMAN. You were friendly with Villa, you say?

Mr. HANDSHY. Yes, sir.

The CHAIRMAN. With his treatment?

Mr. HANDSHY. Yes, sir; he sure did treat me fine.

The CHAIRMAN. Yes; that is, after he took the rope off your neck the second time?

Mr. HANDSHY. Well, he didn't put it on there, some other fellows put it on there—he ordered it off mighty quick when he got there—I guess I had some of the marks on me after I got home; I was afraid of him, I went to meet him and told him I was glad to see him. I knew whose hands I was in, I knew where I was—I got kind of over my scare after they had been shooting at me for about an hour.

The CHAIRMAN. And Villa himself ordered those men who had put the rope on you to take the rope off?

Mr. HANDSHY. Yes, sir; he sure did, and I sat down and ate with him; he told me to ride his horse out to the smelters and lead a bunch of horses out there to keep them away from the destruction of the dynamiting of the buildings; they carried that on about an hour. I guess, before they got through with it. I think they fired about 20 boxes of dynamite and took about 50 away with them in Smith's automobile.

The CHAIRMAN. How did you manage to get along around the country without Villa being with you?

Mr. HANDSHY. Well, I went just over to El Oro and had people come in and tell us.

The CHAIRMAN. Did Villa give you any paper or anything of that kind for your protection?

Mr. HANDSHY. Yes, sir.

The CHAIRMAN. What was it?

Mr. HANDSHY. He gave me a passport; I have it in my pocket.

The CHAIRMAN. He gave you a passport?

Mr. HANDSHY. And I have a photograph I sent to President Wilson, and also sent a copy to Congressman Slayden and Senator Shepard, with Pancho's name on it. Zach Cobb had that passport. You can read it out—here is the passport and here is the original signed with his name.

The CHAIRMAN. Did you show this to anybody at any time?

Mr. HANDSHY. Yes, sir; I showed it to the general at El Oro. he said that was all right; he didn't object to my carrying that as long as I had any other papers.

The CHAIRMAN. Well, anywhere in Villa's territory that assured you safety, did it?

Mr. HANDSHY. I got through everywhere; yes, sir—they seemed to know that I was the right man, but they stopped me once or twice coming through, and I brought some trucks back, right from the mines to Parral, without any disturbance at all—we met a few small gangs; they didn't bother us—I suppose he had sent word on ahead that we would go out, and I wanted to get those trucks out, because he had scouts in pretty near all those towns; he has pretty near all these small towns handicapped when it comes to getting through.

The CHAIRMAN. You are familiar with the people in the small towns there?

Mr. HANDSHY. Yes, sir.

The CHAIRMAN. In the country districts in that neighborhood?

Mr. HANDSHY. Yes, sir; very much so—Jimenez and different places.

The CHAIRMAN. Talked with them; been with them?

Mr. HANDSHY. Yes, sir.

The CHAIRMAN. Had them in your employ?

Mr. HANDSHY. Yes, sir.

The CHAIRMAN. What is the feeling among them generally, as far as you are able to judge, as to whom they favor now?

Mr. HANDSHY. Well, they favor better conditions than Carranza gives them—I don't know who—they claim they are getting to be worse all the time.

The CHAIRMAN. They are as well satisfied when Villa is in the country as when Carranza is?

Mr. HANDSHY. Yes, sir; they seem to be; yes, sir; many of the merchants in Parral told me that when they had Villa in there they were much better satisfied; much better protected with their stores, and everything, than when the soldiers were in there.

The CHAIRMAN. Did Villa seem to have control of his soldiers when he was there with them?

Mr. HANDSHY. Yes, sir; and they were better equipped by far than the other soldiers, according to their surroundings and everything.

The CHAIRMAN. You say that he was—appeared to be better outfitted, his men?

Mr. HANDSHY. Oh, yes, sir.

The CHAIRMAN. How do you mean?

Mr. HANDSHY. He had better horses and better rifles—he got about 50 or 60 rifles out of our bunch and a couple of thousand rounds of ammunition; they were all good, principally new guns; when we left El Paso, a good many of the men had private guns in there, you know—had them stored over in Juarez. What I did find out at Chihuahua—I was there a couple of months at intervals and found out over at the arsenal, where they were making guns and repairing guns, they had at least 25 or 30 German mechanics in there; I was over there practically every day just fooling around to find out—they didn't have no objection to my being there at all—they boarded at the same hotel I did and ate at the same restaurant and I was with them every once in a while.

The CHAIRMAN. For whom were you doing this work?

Mr. HANDSHY. For the Government.

The CHAIRMAN. For Villa?

Mr. HANDSHY. No; for the Government.

The CHAIRMAN. For Carranza?

Mr. HANDSHY. Yes, sir. Guns came in there, you know, half a car load at a time, and saddles—old broken guns; and they were making repairs and everything there, of the equipment.

Senator SMITH. What year was that?

Mr. HANDSHY. That was 1917 and part of 1918. I left there in 1918.

The CHAIRMAN. 1917 and 1918?

Mr. HANDSHY. Yes, sir.

The CHAIRMAN. Were those German workmen experts?

Mr. HANDSHY. Seemed to be; a good many of them came down from the strike of the miners, from Arizona—I knew a good many of them from Phoenix and Bisbee, out there—they were miners at that time then when I was there.

The CHAIRMAN. Have you been back since?

Mr. HANDSHY. No, sir. I had no occasion to go back, only in one direction—I know where there is \$3,000,000 or \$4,000,000 worth of bullion hid away, that Villa told me about, so I guess I will go and get that out when I have time—I know right where it is.

Senator SMITH. How many men did Villa have over at the place where these works were destroyed?

Mr. HANDSHY. He had about 400.

Senator SMITH. How many Carrancistas were over the hill a mile or two away?

Mr. HANDSHY. They claimed to be 900.

Senator SMITH. Nine hundred?

Mr. HANDSHY. Yes, sir.

Senator SMITH. And those 900, you say, were in easy hearing of these guns?

Mr. HANDSHY. Yes, sir; you could hear the guns both ways—when Villa would go up on the hill, you could see that bunch going across every day—and you wouldn't have the soldiers.

Senator SMITH. After notifying the Carranza soldiers, after arriving there, were any efforts made by them—these Carranza soldiers—to further engage Villa?

Mr. HANDSHY. No, sir. He just came and went whenever he wanted to. They just stayed at their posts all the time; they had dugouts, dugouts for about two miles and a few guns buried there and barricaded there, they didn't attempt to go from there at all.

The CHAIRMAN. That is all. We are very much obliged.

#### TESTIMONY OF MRS. A. H. McCAIN.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

The CHAIRMAN. Where do you live, Mrs. McCain?

Mrs. McCAIN. I live in San Antonio at the present time.

The CHAIRMAN. You are a citizen of the United States?

Mrs. McCAIN. Yes, sir.

The CHAIRMAN. Native born?

Mrs. McCAIN. Yes, sir.

The CHAIRMAN. What State?

Mrs. McCAIN. Texas.

The CHAIRMAN. How long have you lived here?

Mrs. McCAIN. In San Antonio?

The CHAIRMAN. Yes, ma'am.

Mrs. McCAIN. At the present time I just returned from Europe. I served overseas over a year.

The CHAIRMAN. In what branch?

Mrs. McCAIN. In the Y. M. C. A. canteen service.

The CHAIRMAN. Where were you before you went to Europe?

Mrs. McCAIN. Before I went to Europe, six months I was in San Antonio, previous to that I was in Refugio, Tex., and in Brownsville, traveling mostly.

The CHAIRMAN. I don't know what the substance of your testimony is, you can make any statement you want to, Mrs. McCain.

Mrs. McCAIN. My husband was killed in Brownsville, Tex., October 18, 1915, in a border raid, and the train was wrecked. Several United States soldiers were killed at the same time.

The CHAIRMAN. Who killed them, if you know?

Mrs. McCAIN. I don't know, it was supposed to be from the other side. I don't know.

The CHAIRMAN. That was what was known as the De la Rosa raids?

Mrs. McCAIN. I suppose so; yes, sir. The State of Texas at the time offered a reward for his capture.

The CHAIRMAN. You know nothing about the identity of those who wrecked the train and did the killing?

Mrs. McCAIN. No, sir; I know nothing about it because I left Brownsville at the time, after that.

The CHAIRMAN. Was your husband on the train?

Mrs. McCAIN. Yes, sir; he was on the train.

The CHAIRMAN. At the time of the wreck?

Mrs. McCAIN. At the time of the wreck, and he was shot that night.

The CHAIRMAN. He was shot?

Mrs. McCAIN. Yes, sir.

The CHAIRMAN. Killed by a gunshot?

Mrs. McCAIN. Killed by a gunshot; died the next day at 1.25.

The CHAIRMAN. Was he conscious—did he know anything about who killed him?

Mrs. McCAIN. He was perfectly conscious, but I don't know whether he did or not—I don't know anything about that very much. I think his statement was, though, he was shot by Mexicans; I know that was his statement; that is proven without doubt.

The CHAIRMAN. Yes; the committee will have other evidence more nearly identifying the perpetrators. What was your husband's name?

Mrs. McCAIN. Eugene Shannon McCain.

Senator SMITH. What was his profession?

Mrs. McCAIN. He was a medical man, a doctor.

The CHAIRMAN. Did he have any official position?

Mrs. McCAIN. He was quarantine physician of the State of Texas, stationed at Brownsville.

The CHAIRMAN. His official duties required him to travel on the train?

Mrs. McCAIN. Yes, sir.

The CHAIRMAN. He was on official duty at this time?

Mrs. McCain. Yes, sir; in line of duty.

The CHAIRMAN. Of course you received no remuneration of any kind from any source?

Mrs. McCain. No, sir; absolutely none.

The CHAIRMAN. Thank you very much, we will have other evidence.

### TESTIMONY OF D. R. McCORMICK.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the committee, duly authorized thereto.)

The CHAIRMAN. What is your name?

Mr. McCORMICK. D. R. McCormick.

The CHAIRMAN. Your residence, please.

Mr. McCORMICK. 716 West Cypress, San Antonio, Tex.

The CHAIRMAN. Are you a citizen of the United States?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. Native born?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. What State?

Mr. McCORMICK. Maryland.

The CHAIRMAN. Do you know anything about Mexico; have you ever lived there?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. When did you go to Mexico?

Mr. McCORMICK. In 1882.

The CHAIRMAN. 1882?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. Where did you go?

Mr. McCORMICK. In Chilhuahua.

The CHAIRMAN. Are you familiar with any other part of Mexico?

Mr. McCORMICK. Some; yes, sir.

The CHAIRMAN. What other part?

Mr. McCORMICK. In Coahuila I went—excuse me, I first went in Coahuila in 1882, and in Chihuahua afterwards.

The CHAIRMAN. Did you have your family with you?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. What was your business?

Mr. McCORMICK. Cattle.

The CHAIRMAN. Do you own a ranch, or lease property?

Mr. McCORMICK. I leased property in the State of Coahuila.

The CHAIRMAN. How many cattle did you have there?

Mr. McCORMICK. I had a partner, Thomas Hughes; we had about 15,000.

The CHAIRMAN. How long did you continue in the cattle business?

Mr. McCORMICK. On that ranch, 12½ years.

The CHAIRMAN. That would be until 1894?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. What were the conditions of the country during that time, from 1882 to 1894?

Mr. McCORMICK. In what respect?

The CHAIRMAN. Well, as to peace and order, or violence of law?

Mr. McCORMICK. We didn't have any trouble, I didn't have any trouble during that time, with the State nor with the Federal authorities, at all.

The CHAIRMAN. Well, did you have any trouble with bandits?

Mr. McCORMICK. No, sir.

The CHAIRMAN. Where did you go then, in 1894?

Mr. McCORMICK. In 1894 we sold out and I came back into Texas.

The CHAIRMAN. Did you go back to old Mexico after that?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. When?

Mr. McCORMICK. I think that was in—I think that was about 1897 I went back there.

The CHAIRMAN. How long did you remain, then?

Mr. McCORMICK. I think it was about four years, in the State of Coahuila. Four years in the State of Coahuila, I was on the Tierra Blanca ranch.

The CHAIRMAN. Did you own it or lease it?

Mr. McCORMICK. I was manager there.

The CHAIRMAN. Cattle ranch?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. How many cattle were there running on the ranch?

Mr. McCORMICK. I expected there was about 8,000 there.

The CHAIRMAN. When did you come out—come away from there?

Mr. McCORMICK. I was there, I think, about four years.

The CHAIRMAN. That would be about 1901?

Mr. McCORMICK. I think something like that; yes, sir.

The CHAIRMAN. And did you ever go back to Mexico?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. What year? Well, during the years from 1897 to 1901 what were the conditions as to law and order?

Mr. McCORMICK. I didn't have any trouble at all; shipped cattle to the City of Mexico all the time I was there; crossed some into the United States on the other ranch, after I crossed out, while I was there in 1882. Then, you know the Wilson bill took effect and I could cross them out, but during the other time the duty was too high.

The CHAIRMAN. Did you dispose of them within the Republic?

Mr. McCORMICK. Yes, sir; disposed of them in the City of Mexico and in the other cities there, too.

The CHAIRMAN. Then, when did you go back into Mexico, if at all?

Mr. McCORMICK. Well, I went into Chihuahua about six months after I quit there.

The CHAIRMAN. How long did you stay there?

Mr. McCORMICK. Well, on that ranch I went and took charge of the T. O. ranch in the State of Chihuahua. It belonged to Dr. Wood, of Kansas City. It had 1,000,000 acres of land in it, and there were about 14,000 cattle, I suppose.

The CHAIRMAN. How long did you remain there?

Mr. McCORMICK. I think about three years. Senator, I would like to say this: I didn't intend to testify; I might get these here dates mixed up; if you will leave me until to-morrow I can have the dates and everything fixed up. I can make a little note of it.

The CHAIRMAN. You can get it approximately; that is what we are after. I want to show by you the condition during the years previous

to 1911 and the conditions subsequent to the year 1911, in so far as you know. State what year you were on the T. O. ranch.

Mr. McCORMICK. I think I was there three years.

The CHAIRMAN. The conditions were what during that time?

Mr. McCORMICK. I didn't have any trouble with the State or Federal authorities at all.

The CHAIRMAN. Were you in Mexico at all after the year 1910?

Mr. McCORMICK. Some; yes, sir.

The CHAIRMAN. Where?

Mr. McCORMICK. In Chihuahua.

The CHAIRMAN. In the cattle business?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. Whereabouts?

Mr. McCORMICK. Well, I went and received those cattle on the Palomas Land & Cattle Co., and I forgot just the dates, but I received these, and I stayed there about two years, I think.

The CHAIRMAN. The Palomas Land & Cattle Co.?

Mr. McCORMICK. Yes, sir; that is in the State of Chihuahua. Yes, sir; they had about 2,000,000 acres of land, and I counted there about 28,000 cattle.

The CHAIRMAN. That ranch is along the border of New Mexico extending west?

Mr. McCORMICK. Yes, sir; I think there is something over—pretty nearly 100 miles along the line of New Mexico.

The CHAIRMAN. South of Columbus?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. The T O ranch is on the border below the Rio Grande?

Mr. McCORMICK. Yes, sir; right south of Sierra Blanca.

The CHAIRMAN. What were the conditions after 1910 and 1911, subsequent to 1910?

Mr. McCORMICK. When I first went on this ranch, it was before that, everything was good before the revolution started, on Madero—I was there when that started.

The CHAIRMAN. Then what occurred?

Mr. McCORMICK. A good bit from that on.

The CHAIRMAN. Any of your family with you?

Mr. McCORMICK. Yes, sir; my wife was there with me. I had my wife with me.

The CHAIRMAN. I mean on the Palomas Land & Cattle Co.?

Mr. McCORMICK. Yes, sir; I brought my wife out just a few days after the fight there at Casas Grandes.

The CHAIRMAN. As long as you remained there, then, were you familiar with that part of the country subsequent to 1911; what were the conditions as to peace and order, or violence?

Mr. McCORMICK. We didn't have any trouble; didn't feel any uneasiness at all.

The CHAIRMAN. I say subsequent to 1911, subsequent to the battle of Casas Grandes?

Mr. McCORMICK. Everything was peaceable; they didn't have any trouble at all.

The CHAIRMAN. Afterwards?

Mr. McCORMICK. Well, after that there was trouble.

The CHAIRMAN. What was the character of the trouble?

Mr. McCORMICK. Well, different parties would come along and they would take cattle and horses and demand the money and the things, provisions, take them, and the horses and saddles.

The CHAIRMAN. Can you give me the names of any of the bands, or the leaders of bands, who demanded money and took property?

Mr. McCORMICK. Well, the first one that came by the ranch there was John Cruz Blanco; I believe that was his name.

The CHAIRMAN. Jose de la Luz Blanco, was it not?

Mr. McCORMICK. I think so; yes, sir.

The CHAIRMAN. He was originally with Orozco, Pasqual Orozco, in the Madero revolution, was he not?

Mr. McCORMICK. I couldn't say. He came there and got provisions, but he paid for them; but he killed some cattle and didn't account for them nor pay for them. He didn't make much trouble.

The CHAIRMAN. Well, who else came afterwards?

Mr. McCORMICK. Well, I wasn't there in charge after that very long; my sons took charge.

The CHAIRMAN. Do you know from your son what happened to him?

Mr. McCORMICK. Yes, sir; then I was in there and helped him to cross out a good many cattle; I saw some things then, also.

The CHAIRMAN. What happened to your son, if anything?

Mr. McCORMICK. Well, they captured him and held him for a ransom.

The CHAIRMAN. Who held him, do you know?

Mr. McCORMICK. Well, the first outfit was the Salazar outfit.

The CHAIRMAN. Inez Salazar?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. Was he ransomed?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. How much?

Mr. McCORMICK. \$5,000, gold. The company paid it—the Palomas Land and Cattle Co.

The CHAIRMAN. Was he ever captured again?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. Who took him the next time?

Mr. McCORMICK. Why, it was the Castillo outfit took him.

The CHAIRMAN. Maximo Castillo?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. The gentleman who had something to do with the burning of a train with Americans on it in Cumbre Tunnel?

Mr. McCORMICK. The same party.

The CHAIRMAN. Did he capture your son?

Mr. McCORMICK. No, sir; not he himself; some of his men did.

The CHAIRMAN. Did they demand a ransom?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. Did they get it?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. How much?

Mr. McCORMICK. Five thousand gold, First National Bank at El Paso.

The CHAIRMAN. That seemed to be the regular price?

Mr. McCORMICK. Yes; well, the next time, Castillo, he wasn't quite so vicious. he only got the five thousand Mexican.



The CHAIRMAN. But this third time?

Mr. McCORMICK. This time was Castillo.

The CHAIRMAN. That the second time?

Mr. McCORMICK. The second time he didn't get gold then, they bought the money in El Paso but didn't give so much. Then he was captured another time but he was with the vice president of the company, Stevenson.

The CHAIRMAN. Stevenson, of Los Angeles, vice president of the company, was in company with Mr. McCormick's son?

Mr. McCORMICK. They held him while Stevenson went and got the money at El Paso, held him three days there.

The CHAIRMAN. How much did they get that time?

Mr. McCORMICK. I ain't real sure, but I think it was in the neighborhood of \$3,000.

The CHAIRMAN. Do you know who that was who had him that time?

Mr. McCORMICK. I have forgotten who that was.

The CHAIRMAN. Did your son come out then?

Mr. McCORMICK. Sir?

The CHAIRMAN. Did your son come out then or did he stay there?

Mr. McCORMICK. No, he went back.

The CHAIRMAN. Did anything else happen to him?

Mr. McCORMICK. Well, I think he had a good bit of unpleasantness there, horses taken, and the like of that.

The CHAIRMAN. Was he captured any more?

Mr. McCORMICK. No, sir; that was the only three times that they took charge of him.

The CHAIRMAN. Do you know how many times they took charge of Stevenson himself?

Mr. McCORMICK. I don't know, I think only twice. He wasn't in there as much as my son, they didn't have a chance.

The CHAIRMAN. They had a negro man working for them there?

Mr. McCORMICK. No, sir; he was with the Ojitos ranch, Warren, he would make you a good witness.

The CHAIRMAN. Do you know whether he had to pay a ransom?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. For Bunk?

Mr. McCORMICK. Yes, sir; for Bunk.

The CHAIRMAN. How much did they have to pay for Bunk?

Mr. McCORMICK. I think the price was \$5,000.

The CHAIRMAN. Have you been at all familiar with the country since there recently—within the last year or two?

Mr. McCORMICK. No, sir; I have not been over there since my son left there—about—

The CHAIRMAN. Do you know Tom Kingsbury?

Mr. McCORMICK. Oh, very well. He was the man that turned the cattle over to me—that is, from the other company—we counted them together.

The CHAIRMAN. Do you know where he is?

Mr. McCORMICK. Dead, they told me.

The CHAIRMAN. He was working for the Palomas Land & Cattle Co. at the time of his death?

Mr. McCORMICK. Yes, sir. He was the second man after my son quit there; I got my son to quit when Carranza was recognized; I didn't think it was safe for him to stay there.

The CHAIRMAN. It had been apparently safe before that?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. After Carranza was recognized?

Mr. McCORMICK. I thought it was time to get out; he wasn't as old as I was, and I finally got him to come out, but Kingsbury was the second man. You know there was another man in charge after my son was, a fellow by the name of McKinney—Arthur McKinney.

The CHAIRMAN. What happened to him?

Mr. McCORMICK. The same road as Kingsbury. He is dead. They killed him.

Senator SMITH. Who did the killing, do you know?

Mr. McCORMICK. The outfit that killed—yes, sir; I know him. I know who killed Arthur McKinney; that was the Villa outfit after they got defeated up at Agua Prieta. He came down there then and Arthur McKinney was working on a ranch rounding up, and Villa came down there on the Boca Grande River and found him there and killed him, and killed another American up there with him.

The CHAIRMAN. Do you remember the name of the man—was it Bishop?

Mr. McCORMICK. Cobert was the man that was killed there.

The CHAIRMAN. Then Kingsbury disappeared within the last year or two?

Mr. McCORMICK. Kingsbury, I think; I have forgotten just when it was.

The CHAIRMAN. It is a comparatively recent date?

Mr. McCORMICK. Yes, sir; I don't think they found him or his horse. Arthur McKinney's remains were brought back on this side.

The CHAIRMAN. After Carranza was recognized you didn't go back into Mexico yourself, I mean, to live there?

Mr. McCORMICK. To live there; no, sir.

The CHAIRMAN. And you persuaded your son to come out?

Mr. McCORMICK. Yes, sir.

The CHAIRMAN. Thank you very much.

### TESTIMONY OF PAUL METZENTHIN.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the committee, duly authorized thereto.)

Mr. JACKSON. State your name.

Mr. METZENTHIN. Paul Metzenthin, jr.

The CHAIRMAN. Where do you live?

Mr. METZENTHIN. 221 Van Ness.

The CHAIRMAN. San Antonio, Tex.?

Mr. METZENTHIN. Yes, sir.

The CHAIRMAN. Are you a citizen of the United States?

Mr. METZENTHIN. Yes, sir.

The CHAIRMAN. Native born?

Mr. METZENTHIN. Yes, sir.

The CHAIRMAN. In what State?

Mr. METZENTHIN. Pennsylvania.

The CHAIRMAN. Have you had any experience in Mexico?

Mr. METZENTHIN. Yes, sir.

The CHAIRMAN. In what year?

Mr. METZENTHIN. 1913.

The CHAIRMAN. What part of Mexico?

Mr. METZENTHIN. In the lower part of the State of Sonora.

The CHAIRMAN. What were you doing there?

Mr. METZENTHIN. We went down there to raise cattle and farm.

The CHAIRMAN. Who?

Mr. METZENTHIN. The family—father, mother, three boys, and a sister.

The CHAIRMAN. Where is your farm?

Mr. METZENTHIN. It was approximately 50 miles due south of Guaymas.

The CHAIRMAN. On a river?

Mr. METZENTHIN. Below the Yaqui River in what is known as the Yaqui Delta.

The CHAIRMAN. Under an irrigation project?

Mr. METZENTHIN. Yes, sir; under an irrigation project.

The CHAIRMAN. Were there many Americans there?

Mr. METZENTHIN. Yes, sir; it was quite an American colony.

The CHAIRMAN. Was that under one of Richardson Construction Co.'s enterprises?

Mr. METZENTHIN. Yes, sir; Richardson Construction Co.

The CHAIRMAN. How long did you live there?

Mr. METZENTHIN. We went down the 1st of March, and after we were raided we, of course, tried to get out in the quickest time possible. The raid occurred on the 6th of May, and it was about the 22d of August before I got out of the country.

The CHAIRMAN. What was the reason for the delay?

Mr. METZENTHIN. Why, after the raid I had three cripples on hand.

The CHAIRMAN. How do you mean?

Mr. METZENTHIN. After the raid father's health was such he could not move, and mother and sister were nervous, broke down, they couldn't walk around the house at all, much less make any sort of a trip.

The CHAIRMAN. Who was responsible for the raid, who were the leaders, I mean?

Mr. METZENTHIN. Yaqui Indians.

The CHAIRMAN. Were they in any governmental force, or were they just raiding on their own account?

Mr. METZENTHIN. No; they were under the command of Luis Espinoza. He was a regular commissioned lieutenant under Carranza. Carranza had, all during our stay in Sonora, complete control over the State. He was recognized as the stable government of that State.

The CHAIRMAN. Espinoza was in——

Mr. METZENTHIN. Regular commission.

The CHAIRMAN. About how many were there in the party of raiders?

Mr. METZENTHIN. There were possibly 200 but only about 80 came into the ranch—that is, came up to the house, and the others stayed out.

The CHAIRMAN. What did they do when they came to your place?

Mr. METZENTHIN. They took complete possession of the place. They lined us three boys up against a wall and held machetes to our throats and told us if we dared to drop our hands they would cut our heads off. They held us in that position from approximately a quarter past 12 until about 4.30 in the evening.

The CHAIRMAN. In the meantime?

Mr. METZENTHIN. In the meantime they carried off everything they could—that is, they ransacked the house, took all the provisions—we had stocked up for a year—and took all the stock we had, and they drove the stock that they took, which consisted largely of hogs, and they drove them through the crops, broke the irrigation canals, and cut fences—in other words, they ruined the crops.

The CHAIRMAN. Of what did the crops consist?

Mr. METZENTHIN. The crops consisted largely of corn, milo maize, beans, watermelons, and canteloupes. You see, it was truck farming.

The CHAIRMAN. Where was your market, where did you propose to sell your crops?

Mr. METZENTHIN. We sold our stuff to a St. Louis agent who was stationed in Esperanza.

The CHAIRMAN. What did you do with your hogs when you raised them?

Mr. METZENTHIN. Well, the hogs we disposed of at the same market.

The CHAIRMAN. This raiding party drove the hogs off?

Mr. METZENTHIN. They drove everything off.

The CHAIRMAN. Yes.

Mr. METZENTHIN. They drove everything off, didn't leave anything on the place; they even took everything off of us in the way of clothes, except our underwear, and on this occasion they stripped a chinaman, our house servant; stripped him in front of mother and sister; and they threatened to carry off, tried to carry off, mother and sister; but we left them under the impression that there were more Americans than what there really were, and it seemed as though it had some weight with them; at any rate, after a while they left mother and sister alone; and they threatened us and told us they were coming back again, which they did. We, of course, were not on the place any more; but they said they were coming back, and wanted a sum of money; what the sum was I have forgotten, and told us if the money wasn't there they would kill us and burn the house and barns, which they did; they burned them.

The CHAIRMAN. They did, later?

Mr. METZENTHIN. They came in, just as they said.

The CHAIRMAN. And burned the house and barn?

Mr. METZENTHIN. About 30 days later.

The CHAIRMAN. Where did you go after they left the ranch?

Mr. METZENTHIN. After they left the ranch that night we were all afraid to venture anywhere off the place anywhere; we were not familiar with the ground, and we stayed on the place that night,

and some Americans heard of the raid, and they sent a man down with a small buckboard, and he got mother and sister and father and one brother, and took them into the village. The other brother and myself, we had to hit for the hills; that is, we took a roundabout way on foot.

Senator SMITH. What village?

Mr. METZENTHIN. Esperanza, on the railroad.

The CHAIRMAN. How long did you remain out in the hills?

Mr. METZENTHIN. We got in that same night; made a roundabout trip so as to avoid the Yaquis.

The CHAIRMAN. What is the difference between the Yaqui soldiers and any other soldiers in the Carranza command there; any?

Mr. METZENTHIN. Well, the Yaquis are full-blooded Indians, and in that section of the country they are known as devils and broncos—anything that expresses meanness. They are the cruelest soldiers that are known to be in the Mexican Army.

The CHAIRMAN. Then as soon as you could, you got out of the country?

Mr. METZENTHIN. As soon as we could we got out of the country.

The CHAIRMAN. You said your mother and your sister were prostrated through shock?

Mr. METZENTHIN. Absolutely; and to this day, sister is not normal; absolutely, not normal; in fact, sister has suffered a complete lapse of memory for approximately three and a half years.

The CHAIRMAN. You haven't been back since?

Mr. METZENTHIN. No, sir; I have not been back since.

The CHAIRMAN. Do you know whether any of the other colonists left?

Mr. METZENTHIN. Well, we were among the last; that is, among the last families to leave. There were men without dependents who stayed down there later than we did; but we were about the last family to leave.

The CHAIRMAN. The others had been driven out before?

Mr. METZENTHIN. No; they had ways of getting out; and among other things, the Richardson Co. furnished a boat for the women and children who could stand an overland trip of possibly 60 miles through the desert, and most of them got out on this boat.

The CHAIRMAN. About how many colonists were there who came out; if you know, approximately?

Mr. METZENTHIN. Approximately 200 left on that boat.

The CHAIRMAN. They came out before this raid upon your place?

Mr. METZENTHIN. No; they came out after the raid. There was no one had left before the raid.

The CHAIRMAN. Everything seemed to be comparatively safe?

Mr. METZENTHIN. When we went down, in fact, with this stock in Hermosillo, we left a wide trail, and wanted to be sure what we were getting into. We were assured on every hand. Among others who assured us every protection in the world was this Col. Alvarado. He is now general.

The CHAIRMAN. Salvador Alvarado?

Mr. METZENTHIN. What his initials are I really don't know. And we went farther down, and when we got to Esperanza we went over to the little village Cocorit. Cocorit was the seat of the municipal

government, and the authority at Cocorit told us we would not be molested in any way, and told us if anything came up they would notify us; they would warn us, and would give us any protection we wanted: so we felt perfectly safe in going ahead, and we stayed there from—let's see—it was a little better than two months, without any trouble of any kind.

The Carranza troops and the Huerta troops both would come by, and they would send two or three messengers up and ask for supplies or for stock, and we would absolutely refuse this; we explained to them we were Americans. They offered us paper money at first, that is, promissory notes, and then grew rather insistent, and we always explained to them we were Americans, we would neither sell nor give to either side. And, whenever there was any little engagement in the neighborhood we stayed away from it, so there was nothing in the wide world for them to have any hard feeling toward us.

The CHAIRMAN. Do you know how far from your place Gen. Alvaro Obregon's home was?

Mr. METZINTHIN. No; I don't know how far it was.

The CHAIRMAN. Do you know who was in general command of the Yaquis fighting the Huertistas down there in that country?

Mr. METZINTHIN. They were under an Obregon. He had his headquarters at that time at Cruz de Piedra, which is, roughly estimating, about 15 miles from Guaymas. Now, which of the Orozcos that was I don't remember; there were three Orozcos.

The CHAIRMAN. I spoke of Obregon.

Mr. METZINTHIN. Oh, Obregon?

The CHAIRMAN. Obregon; yes.

Mr. METZINTHIN. I can't place an Obregon just now, the name though I know that we came in contact with it somewhere, but just where it was I don't recollect.

The CHAIRMAN. Of course the Orozcos whom you mentioned were in there, I think, Pasqual Orozco, he was never there in that part?

Mr. METZINTHIN. No; Pasqual was never there; it was one of the lesser Orozcos.

The CHAIRMAN. Yes; I recall one of them. You have never received any remuneration of any kind?

Mr. METZINTHIN. Not a cent; no, sir.

The CHAIRMAN. Approximately what were your losses, roughly speaking?

Mr. METZINTHIN. I should imagine it run in the neighborhood of \$20,000.

The CHAIRMAN. Mexican money or gold?

Mr. METZINTHIN. Well, in our money. You must remember—bear in mind at the time I went down there I wasn't 17, and after this raid, why, things happened so fast and I had so much on my hands that on certain points I can't be positive.

The CHAIRMAN. Is your mother too ill to appear before the committee?

Mr. METZINTHIN. Well, I shouldn't like to have her appear.

The CHAIRMAN. We had no intention of subpoenaing her unless she was able to come. How old was your sister at this time?

Mr. METZINTHIN. Sister, at that time, was 14.

The CHAIRMAN. I think that is all, sir; very much obliged.

\* \* \* \* \*

The CHAIRMAN. Let the record show the committee will now be in recess until to-morrow morning, as it will go into executive session; there are several witnesses in attendance who for one reason and another, who, in judgment sufficient to themselves, and in the judgment of the committee, is sufficient to justify them in having their testimony taken in executive session. In the absence of any witness to be examined in open session we will take a recess now until to-morrow at 10.30. We will have an executive session all day.

\* \* \* \* \*

Thereupon at 3.50 o'clock p. m., the committee recessed until Saturday, January 17, at 10.30 o'clock, a. m.

# INVESTIGATION OF MEXICAN AFFAIRS.

**SATURDAY, JANUARY 17, 1920.**

## UNITED STATES SENATE, SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS.

The subcommittee met pursuant to adjournment at 11.15 o'clock a. m. in the pink room of the Gunter Hotel, San Antonio, Tex.

Present: Senators Fall (chairman) and Smith; Dan M. Jackson, Esq., clerk of the subcommittee.

### TESTIMONY OF C. L. GARDNER.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Where do you live, Mr. Gardner?

Mr. GARDNER. At present I am located at Hot Springs, Ark.

The CHAIRMAN. Are you a citizen of the United States?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. Native born?

Mr. GARDNER. Native born.

The CHAIRMAN. In what State?

Mr. GARDNER. Ohio.

The CHAIRMAN. Have you been in Mexico within the last 10 years; that is, since 1910?

Mr. GARDNER. I came out of Mexico—I left the City of Mexico the 25th of August—last August.

The CHAIRMAN. 1919?

Mr. GARDNER. Yes, sir; I came through San Antonio.

The CHAIRMAN. When were you first in Mexico?

Mr. GARDNER. I went to Mexico to live in 1897.

The CHAIRMAN. What was your business there?

Mr. GARDNER. I was a railroad conductor.

The CHAIRMAN. Where was your residence?

Mr. GARDNER. My residence?

The CHAIRMAN. I mean, where did you—did you have a home, temporary or otherwise, in Mexico?

Mr. GARDNER. In the City of Mexico, all the time I was there.

The CHAIRMAN. Did you have a family?

Mr. GARDNER. My wife was with me.

The CHAIRMAN. Where did she reside?

Mr. GARDNER. She was with me.

The CHAIRMAN. In the City of Mexico?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. Upon what roads were you employed?

Mr. GARDNER. At first on the Mexican Central, and then with the Cuernavaca during the construction of it—when Joe Hanson was



building, I worked for him over there; and then I came back to the Central, and then I went to the National lines and worked there awhile, and back to the Central, and finally the Central was taken in by the National, and later on the Cuernavaca division; that was the last work I did after it got to be a division of the National lines.

The CHAIRMAN. When was that; when you went back the last time to the Cuernavaca division?

Mr. GARDNER. Cuernavaca division—that was about 1908.

The CHAIRMAN. Were you there when the Madero revolution occurred?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. Where were you then?

Mr. GARDNER. In the City of Mexico.

The CHAIRMAN. That was in 1911?

Mr. GARDNER. In 1911 I was running a passenger train between the Balsas River and the City of Mexico.

The CHAIRMAN. Were you a railroad conductor?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. Did you belong to your order?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. What happened, if anything, to the Order of Railroad Conductors in Mexico after the Madero revolution?

Mr. GARDNER. Well, sir, they were discriminated against to such an extent that they could not stay.

The CHAIRMAN. You had an order in the Republic of Mexico?

Mr. GARDNER. Yes, sir; we had a division there.

The CHAIRMAN. The headquarters were at Guadalajara?

Mr. GARDNER. In the City of Mexico.

The CHAIRMAN. City of Mexico?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. Who was the chief of that order there?

Mr. GARDNER. Well, there was different ones.

The CHAIRMAN. I mean just before you came out?

Mr. GARDNER. I was.

The CHAIRMAN. You were?

Mr. GARDNER. Yes; I was the chief there.

The CHAIRMAN. Do you recall the issuing of a statement addressed to the Order of Railroad Conductors in Mexico by one of their members about 1912 disbanding the order and telling them to get out of Mexico, that they were being so discriminated against?

Mr. GARDNER. That was the 17th of April, 1912; we all got.

The CHAIRMAN. The 17th of April, 1912?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. Did you quit of your own accord or because of circumstances compelling you to do so?

Mr. GARDNER. We were compelled to do so.

The CHAIRMAN. Do you remember what was known as "La Gran Liga" among Mexicans?

Mr. GARDNER. "La Gran Liga," si, señor.

The CHAIRMAN. What was the watchword of "La Gran Liga," if you know in Mexico? "Mexico for the Mexicans"?

Mr. GARDNER. "Mexico for the Mexicans."

The CHAIRMAN. Supposed to be organized by Mexican railroad employees originally?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. And claiming to number about 25,000 members about the time you went out of there?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. That was my understanding. Do you know Jack Johnson?

Mr. GARDNER. I do.

The CHAIRMAN. Who is he?

Mr. GARDNER. He is the ex-pugilist of the United States.

The CHAIRMAN. He is "ex" now. Do you know where he is?

Mr. GARDNER. He was in Mexico when I left; I seen him every day.

The CHAIRMAN. In August of this year?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. He is the colored ex-champion?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. Do you know what his business is there?

Mr. GARDNER. Well, he is in the same business; holding bouts there for money.

The CHAIRMAN. Did you ever see an advertisement in the Mexico papers or magazines along that line? [Handing a slip of paper to the witness.]

Mr. GARDNER. No; I did not.

The CHAIRMAN. That is an advertisement of the Jack Johnson Land Co. You did not see that?

Mr. GARDNER. No, sir.

The CHAIRMAN. I will have this placed in the record at any rate. [Reading:]

COLORED PEOPLE: You who are lynched, tortured, mobbed, persecuted, and discriminated against in the boasted "land of Liberty," the United States. Own a home in Mexico where one man is as good as another and it is not your color that counts, but simply you. Write for particulars.

JACK JOHNSON LAND CO.,

*Mexico City, D. F., Mexico.*

No. 59 Donceles Street.

The CHAIRMAN. This is taken from Gale's Magazine, published as an advertisement in Gale's Magazine, in the city of Mexico, recently.

Mr. GARDNER. That has come out recently.

The CHAIRMAN. Yes; that is, since you left there.

Mr. GARDNER. Yes, sir.

The CHAIRMAN. You say you have met Mr. Johnson?

Mr. GARDNER. Yes, sir; I have seen him in the automobiles going around there, and I have seen him in the restaurants.

The CHAIRMAN. Any particular instance occur there that called your attention to Mr. Johnson at any time?

Mr. GARDNER. Yes, sir; there was.

The CHAIRMAN. Where was it?

Mr. GARDNER. In Sanborn's there; Sanborn's restaurant; Sanborn's café.

The CHAIRMAN. What was it, Mr. Gardner?

Mr. GARDNER. Well, he came in one afternoon—the Sanborn brothers are wholesale and retail druggists.

The CHAIRMAN. Who are they, Americans?

Mr. GARDNER. Yes, sir; but they have attached to their drug store a restaurant business. There was a lady in charge of it, and Jack Johnson came in there one afternoon and sat down in the middle of the room and she refused to wait on him.

The CHAIRMAN. Who was she?

Mr. GARDNER. She was a Mrs. Thinguin, a Swedish name.

The CHAIRMAN. Was she an American?

Mr. GARDNER. An American.

The CHAIRMAN. And she refused to wait on him?

Mr. GARDNER. Yes, sir; she refused to wait on him, and simply politely told him he would have to go somewhere else, and he informed her that he would come back later and raise a rough-house. I was working in the office upstairs, in the general offices, and the word went around the office that Jack Johnson was coming back in the afternoon to raise a rough-house, so we watched for him. About dark he came in with four or five Carrancista officers, all drunk, and sat down in the middle of the dining room and hammered on the table and ordered everything that was there, and, of course, other customers were there, the dining room crowded by this time, and everybody was interested; they were pushing and shoving around and made a great disturbance, and after they got what they wanted to eat they sent for Mr. Walter Sanborn, who was in charge, one of the brothers; there was two brothers.

The CHAIRMAN. One of the owners?

Mr. GARDNER. Yes, sir. And he naturally would not come in, and they sent out two or three of those officers and they found him and made him come in and they made him shake hands with Jack Johnson and apologize to him the best they could, and embrace him, and shook sombreros over his head, and they were all armed and drunk, and then Mr. Johnson brung in his white lady and seated her and one or two others at the table, and they had a flash-light picture taken to prove that they were there. I stood by the door and watched the whole of it, and they got away with at least \$1,000 worth of food and never paid for it.

The CHAIRMAN. You say "they"—who?

Mr. GARDNER. Well, the crowd. Jack Johnson, I think, offered to pay for what he got, you know, so they could not say that he alone did this. He was pretty cute. Not only that; they had a little street which is one and a half blocks from there lined full of soldiers ready to come in if anything was started.

The CHAIRMAN. Well, something was started, wasn't it?

Mr. GARDNER. Yes, but there was no shot fired, you know. I do not remember the exact date, but that was about the 1st of July.

Mr. JACKSON. What year?

Mr. GARDNER. 1919.

The CHAIRMAN. That was this incident which you have just related?

Mr. GARDNER. Yes, sir, because I left there on the 10th—left Sanborn and went to the American Club and it was just before I went over there.

The CHAIRMAN. While you were on the Cuernavaca division operating trains did you come in contact with the Mexican soldiers of either faction, Zapatistas or others?

Mr. GARDNER. Every day; I knew all of them.

The CHAIRMAN. Did you have any reason to know what their methods were in the treatment of girls or women?

Mr. GARDNER. Well, they didn't treat them; they just took them wherever they got their hands on them; that was all.

The CHAIRMAN. Did you ever witness any incident of that kind yourself?

Mr. GARDNER. I remember one very beautiful girl standing on one of the platforms between the coaches with a ticket in her hand, and one of them rode up and grabbed her by the wrist and took her off with him.

The CHAIRMAN. Where did he take her?

Mr. GARDNER. He took her off down through the yard and out into the brush.

The CHAIRMAN. Any other witnesses besides yourself?

Mr. GARDNER. There were two or three Zapatistas around there.

The CHAIRMAN. This was a Mexican girl, was it?

Mr. GARDNER. Oh, yes.

The CHAIRMAN. What did the audience do or say, if anything?

Mr. GARDNER. Oh, they just laughed and hollered, they thought it was a good joke.

The CHAIRMAN. What are the general conditions in Mexico with reference to law and order or violence and disorder, do you know?

Mr. GARDNER. Well, there doesn't seem to be any law and order; they all do absolutely just as they please. Every general and every fellow that has any authority at all does just as he likes in the community that he is in. There is no head to anything.

The CHAIRMAN. Those conditions yet exist there?

Mr. GARDNER. Yes, sir; and they are growing worse every day.

The CHAIRMAN. The present so-called Government of Mexico is not then able to maintain order, according to your judgment; or does not desire to; or is not able to?

Mr. GARDNER. It seems to me that there is no government.

The CHAIRMAN. At the time that the railroad—American railroad conductors came out in April—April 17, 1912—were there any other railroad men there in Mexico?

Mr. GARDNER. There were a few officials left.

The CHAIRMAN. Well, I mean before that had there been—were there American locomotive engineers?

Mr. GARDNER. Yes; they all left at the same time.

The CHAIRMAN. All American railroad men employed by or on the national roads left at the same time?

Mr. GARDNER. Yes, sir; except a few division superintendents and officials; they stayed.

The CHAIRMAN. Was there any report made by your members to the organizations in the United States?

Mr. GARDNER. Oh, yes, yes; they have all the data.

The CHAIRMAN. You made official reports?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. At that time?

Mr. GARDNER. Yes, sir.

The CHAIRMAN. Published in your official journals?

Mr. GARDNER. Yes, sir; you could get that at Cedar Rapids; or Tommy Echols, he could furnish it, he was our chairman.

The CHAIRMAN. Yes, sir. Personally I have had letters from Mr. Echols in my possession for 12 years, reports from him, a private report to myself from him aside from the official report which was made.

Mr. GARDNER. He is now in El Paso, I think his address is 1000 Newman Street. I have not heard from him for some time.

The CHAIRMAN. Well, we would be glad to look Mr. Echols up when we go to El Paso and have his evidence. Well, I thank you very much in the name of the committee, Mr. Gardner, for your testimony; it is very interesting.

At the desire of several witnesses, the committee will be now compelled to have an executive session, but we have subpoenas out for at least two witnesses whom we hope to have here in a very short time, and the session will be opened again if we secure their attendance; so I will have to ask you gentlemen to let us have the hall a little while now. I will say, at least for the benefit of the newspaper men, that executive sessions are held simply where the witnesses request it. The committee has no desire to hold executive sessions, but simply conforms to the witnesses' wishes where there is apparently some good reason.

(Thereupon the newspaper men and the audience retired from the hall and the committee continued its hearings in executive session.)

#### TESTIMONY OF MR. N. S. MORRISON.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Where do you reside, Mr. Morrison?

Mr. MORRISON. San Antonio.

The CHAIRMAN. What is your occupation?

Mr. MORRISON. Newspaper reporter.

The CHAIRMAN. For a local paper?

Mr. MORRISON. Yes, sir.

The CHAIRMAN. In San Antonio?

Mr. MORRISON. Yes, sir.

The CHAIRMAN. You have been in attendance on these hearings since the committee came here?

Mr. MORRISON. Yes, sir.

The CHAIRMAN. The information has come to the committee that there has been some newspaper story, or some story publicity for which has been sought, if not reflecting upon, at least tending to show some private or personal interests of one of the members of this committee in the matters under investigation. Do you know anything about it?

Mr. MORRISON. Yes, sir. I think that I sent that story out, probably on the International News wire. It was not though—when the story was sent out though it was not intended to reflect on any member of the committee. It was sent out more with the intention of showing how these hearings were bringing a retaliation from Mexico. The story was to the effect, as I remember it, that secret agents of the Mexican Government were investigating Senator Fall's record in an attempt to prove that he had, at any rate, personal interests in Mexico, and that they would attempt to prove that he had at one time been an attorney for Terrazas.

The CHAIRMAN. Did they mention what Terrazas—Gen. Luis Terrazas, of Chihuahua?

Mr. MORRISON. No; I will tell you. I do not know much about the Terrazas excepting this was the man that was supposed to have been the owner of the Terrazas ranch.

The CHAIRMAN. That was Gen. Luis Terrazas?

Mr. MORRISON. Well, I don't know.

The CHAIRMAN. You sent the story out?

Mr. MORRISON. Yes, sir; I sent the story out.

The CHAIRMAN. From whom did you obtain it?

Mr. MORRISON. I obtained it from Miss Smith, a reporter on the Evening News.

The CHAIRMAN. That is all you know about it?

Mr. MORRISON. Yes, sir. She told me the source and I supposed it was reliable. I asked her, as I remember now, if it was reliable, and she said it was.

The CHAIRMAN. She gave you the name of her informant?

Mr. MORRISON. Yes, sir.

The CHAIRMAN. What was that name?

Mr. MORRISON. That was a Mr. Hall; I can not pronounce his first name. or I do not know how it is spelled. I understand he is the head of the Mexican bureau of the chamber of commerce here.

The CHAIRMAN. Of this city?

Mr. MORRISON. Yes, sir. Now that story was put on the wire, and later a notice was sent out from New York to kill the story.

The CHAIRMAN. I thank you very much.

Mr. MORRISON. Yes, sir.

The CHAIRMAN. This young lady whom you referred to as Miss Smith—Miss Genevieve Smith?

Mr. MORRISON. Yes, sir.

The CHAIRMAN. Has she been in attendance on the committee?

Mr. MORRISON. No, sir. Well, I believe she has been in the audience, but she has not been covering it.

### TESTIMONY OF GUILLERMO FRANKLIN HALL.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. What is your name?

Mr. HALL. Guillermo Franklin Hall.

The CHAIRMAN. Where do you reside, Mr. Hall?

Mr. HALL. San Antonio.

The CHAIRMAN. What is your business?

Mr. HALL. I am director of the Mexican trade bureau of the chamber of commerce of this city.

The CHAIRMAN. Of San Antonio?

Mr. HALL. Yes, sir.

The CHAIRMAN. Mr. Hall, information has been imparted to the committee and one of the witness was called and made a statement with reference to a newspaper story concerning in some way the supposed connection of one of the members of this committee with some interests in Mexico, rather possibly indicating that the member of the committee was by virtue of such former interests not im-

partial or not conducting an impartial hearing. Do you know anything about it?

Mr. HALL. I do not know anything of the facts in the case. I did not know there was such a thing in the newspapers.

The CHAIRMAN. Have you heard anything of such a report?

Mr. HALL. Not based on any knowledge, I heard it said that—

The CHAIRMAN. Be perfectly frank; we just want to clear the whole matter up, that is all.

Mr. HALL. Yes. I heard it said that there was a possibility, or probability perhaps, that some of the committee might have some relations in Mexico.

The CHAIRMAN. Referring to myself?

Mr. HALL. Yes, sir.

The CHAIRMAN. The chairman of the committee?

Mr. HALL. Yes, sir.

The CHAIRMAN. Did you impart that information to anyone?

Mr. HALL. I asked if the chairman of this committee—I asked different people different times, if the chairman of this committee had property interests or any of the members of the committee had property interests—that was what I was asking for, particularly—in Mexico.

The CHAIRMAN. You say you have asked if they had?

Mr. HALL. I have asked if they had.

The CHAIRMAN. What information did you obtain from them upon that subject?

Mr. HALL. I have not obtained any information that they did have any property interests in Mexico.

The CHAIRMAN. Well, now, in this particular matter did you impart such information as you had received or that you said you had received to anyone else?

Mr. HALL. I said that I had no positive information of the fact, but that I believed it was entirely possible that some of the members of this committee might have had in the past and perhaps still some relations with big business in Mexico or some relations with reference to property interests there, but I did not know. I had no facts in the case; I stated that **thoroughly**.

The CHAIRMAN. To whom did you make this statement?

Mr. HALL. I do not remember.

The CHAIRMAN. Did you have a conversation with Miss Smith. of this city?

Mr. HALL. Yes. I have had several conversations with Miss Smith.

The CHAIRMAN. Upon that subject?

Mr. HALL. She is a reporter, I believe, upon one of the papers; yes, sir.

The CHAIRMAN. Newspaper?

Mr. HALL. Yes, sir.

The CHAIRMAN. You had a conversation with her upon this subject?

Mr. HALL. Yes, sir.

The CHAIRMAN. Do you know what, if anything—what use she made of the information which you gave her or the statement which you made to her?

Mr. HALL. I do not remember her having said anything of the thing.

The CHAIRMAN. You do not know what she did or attempted to do with that information which she thought she had or acting upon any conversation which she might have had with you with reference to this matter?

Mr. HALL. No; because I did not see in the paper anything that she wrote with reference to it, and I do not know of any particular conversation with her. These reporters are in my office every day. Anything that happens they come to see me and ask my opinion about things, and frequently give it. I told them that I did not know anything about the facts back of this thing.

The CHAIRMAN. Well, what was the source of your information which caused you to investigate or ask questions or attempt to impart information to others upon the subject? From whom did you obtain any information?

Mr. HALL. I did not—if you will pardon my calling in question the form of your question.

The CHAIRMAN. Well, I may have incorrectly framed the question.

Mr. HALL. I did not attempt to impart any information to anybody on the subject.

The CHAIRMAN. Well you testified—

Mr. HALL. But I had heard that the chairman of this committee was formerly connected in some way with the Terrazas interests in Chihuahua.

The CHAIRMAN. Where did you hear that?

Mr. HALL. Oh, that was—that would be hard for me to tell. It is a part of so many things that I had heard with reference to Mexico and things in Mexico that it would be impossible to segregate it.

The CHAIRMAN. It must have made some impression upon your mind, because you sought information along that line, and then you repeated to others something that you had heard along that line.

Mr. HALL. Well; I had in mind times back in Diaz's administration, when Enrique Creel, he was part of the group that ran things in Mexico, and I remembered something of the Terrazas interests during the time I lived in El Paso.

The CHAIRMAN. You have reference to Gen. Luis Terrazas of Chihuahua?

Mr. HALL. Yes, sir.

The CHAIRMAN. The father-in-law of Mr. Creel?

Mr. HALL. Yes, sir. And I had reference to some things that probably have come from my residence of longer and shorter intervals at El Paso at different times.

The CHAIRMAN. You knew that Gen. Terrazas had lived for a time in a residence in El Paso known as my house?

Mr. HALL. I did not know that detail.

The CHAIRMAN. You did not?

Mr. HALL. No, sir.

The CHAIRMAN. Well, it is a fact. I supposed that from your stating that you had resided in El Paso that possibly you were familiar with it.

Mr. HALL. Not for any length of time at any one time.



The CHAIRMAN. Well, what did you learn or what excited your interest in my activities, or supposed activities in Mexico, what did you learn during your residence in El Paso with reference to it?

Mr. HALL. I did not learn, as I tell you again, I had no information, and I have stated to nobody that I had information. I stated simply that in line with a good deal of things that are coming up at the present time, we have to keep our heads on them carefully and see if there is any possibility of animus on anybody's part on both sides of the line.

The CHAIRMAN. And from your information you had some impression that there might be some animus in the mind of the chairman of this committee?

Mr. HALL. I did.

The CHAIRMAN. Now, what information was it lead up to that?

Mr. HALL. Not from any information. Well, coming back to that again, I have stated frankly now, as I stated then, I have never had any information, I never stated I had any information, but in trying to account for a lot of things and a lot of propaganda—pardon me the word, not with reference to yourselves, sir, but with reference to the press of this country against our neighbors, I expected also that it might very likely be true that some of the things that were ascribed to the chairman of this committee ought not to be ascribed to him, and not inferred on the part of certain newspapers who published certain things and gave them certain coloring, it might be possible that things were exaggerated, but that—

The CHAIRMAN. To whom did you make that statement that things might be exaggerated which had been circulated or repeated with reference to myself, or any animus of the chairman?

Mr. HALL. I do not remember, sir. I have had so many conversations on that subject here, you can readily understand that there is not a day passes that somebody does not catch me on the street or come to my office and ask me for things.

The CHAIRMAN. Do you know any of the Mexican secret service men in this country?

Mr. HALL. No, sir; not a one.

The CHAIRMAN. Do you know the Mexican consul here?

Mr. HALL. Yes, sir.

The CHAIRMAN. Did you state to Miss Smith that the Mexican secret service men were investigating the chairman of this committee?

Mr. HALL. No, sir.

The CHAIRMAN. You did not make any such statment to her?

Mr. HALL. No, sir.

The CHAIRMAN. Made no such statement?

Mr. HALL. Absolutely not.

The CHAIRMAN. You are an American citizen, of course?

Mr. HALL. Yes, sir.

The CHAIRMAN. Where were you born?

Mr. HALL. Grand Rapids, Mich.

The CHAIRMAN. I notice that—the reason I asked the question—I supposed you were an American citizen, but I notice that you spell your name Guillermo, which is the Mexican for William?

Mr. HALL. Yes, sir; but that happens because I spent my early boyhood in Spain.

**The CHAIRMAN.** And you were connected with the Mexican trade committee of the Chamber of Commerce?

**Mr. HALL.** Yes, sir; I am the director of the Mexican trade bureau for the Chamber of Commerce.

**The CHAIRMAN.** Are you connected in any publicity work along that line?

**Mr. HALL.** Certainly; we are trying to further our business interests with Mexico.

**The CHAIRMAN.** That is the purpose of the Mexican trade committee?

**Mr. HALL.** Yes, sir; that is the purpose of the Mexican Trade Bureau.

**The CHAIRMAN.** It was to further American trade relations with Mexico?

**Mr. HALL.** Yes, sir.

**The CHAIRMAN.** That is the business which you are engaged in?

**Mr. HALL.** Yes, sir.

**The CHAIRMAN.** Are you receiving remuneration for your services?

**Mr. HALL.** Yes, sir.

**The CHAIRMAN.** Then, as I understand you, whatever you may have said with reference to the possible bias or prejudice of any member of the committee, particularly the chairman of the committee, it has been merely in a casual conversation?

**Mr. HALL.** Absolutely.

**The CHAIRMAN.** Based simply upon rumor and conversation?

**Mr. HALL.** Absolutely. No foundation further than that. I am perfectly willing to go on record as saying that I have at no time had any positive information on that subject and I have no animus against the chairman of this committee or any member of it. The only purpose that I have had at any time has been a sincere desire to do my—to use my influence as far as possible to get my fellow citizens to think straight on international lines.

**The CHAIRMAN.** You are aware of the fact, which is public history, that this committee is proceeding under instructions from the Senate of the United States, and that this subcommittee conducting these hearings is composed of three members of the Foreign Relations Committee of the United States Senate?

**Mr. HALL.** Yes, sir.

**The CHAIRMAN.** You have knowledge of that fact?

**Mr. HALL.** Yes, sir.

**The CHAIRMAN.** And you have, also at least read in the press, if you have not gleaned from the Congressional Record, that the committee was appointed by a resolution offered by Senator King, of Utah?

**Mr. HALL.** That was a detail that I did not know, or, if I did, I had forgotten it.

**The CHAIRMAN.** You had your attention called to the fact, through reading the Congressional Record or otherwise, that the resolution—that portion of the resolution directing the committee to report to the Senate its recommendations as to what, if anything, the United States Congress should do with reference to Mexican matters, was adopted in the open Senate, by unanimous vote, upon a motion offered

by Senator Ashurst, of Arizona, a colleague of Senator Smith, who is a member of this committee.

Mr. HALL. Of that detail I did not know.

The CHAIRMAN. It is a matter of record.

Mr. HALL. I do not read the Congressional Record—I am too busy.

The CHAIRMAN. You read the papers, however?

Mr. HALL. Naturally; yes, sir. I knew that this committee was—to put it into definite shape—that this committee was named by the United States Senate to take testimony and investigate Mexican affairs.

The CHAIRMAN. Are you familiar with the procedure in the Senate and Congress of the United States with reference to resolutions authorizing or directing committees to make investigations in behalf of Congress?

Mr. HALL. No, sir.

The CHAIRMAN. You have not had your attention called to the fact, either through the newspapers or otherwise, that this resolution was reported out of the Senate committee, after being referred to it by the Senate, by a unanimous vote of all the membership of that committee, and was unanimously adopted by the Senate of the United States, with the amendment offered by Senator Ashurst, also unanimously adopted, broadening the scope very materially of the inquiry, and demanding that the committee themselves should make a report with recommendations with reference to what the United States should do?

Mr. HALL. I did not know of it being unanimous, or about the amendment, but I knew that they were empowered to make such investigation.

The CHAIRMAN. And directed to make such recommendations?

Mr. HALL. Yes, sir.

The CHAIRMAN. You know the politics of Senator Ashurst, of Arizona?

Mr. HALL. Not a bit.

The CHAIRMAN. Do you know the politics of Senator King, of Utah?

Mr. HALL. No, sir.

The CHAIRMAN. Do you know the politics of Senator Smith of Arizona?

Mr. HALL. No, sir.

The CHAIRMAN. Do you know my politics?

Mr. HALL. No, sir. Oh, yes; I have heard that you were a Republican.

The CHAIRMAN. Correct, sir. Have you had your attention called to official statements in the nature of a report by this committee and published statements made officially that this committee is cooperating with the State Department of the United States?

Mr. HALL. I have seen that statement made; yes, sir.

The CHAIRMAN. Do you know the politics of the head of the State Department of the United States?

Mr. HALL. I have not been able to make that out.

The CHAIRMAN. Do you know that instructions have been issued by the Treasury Department of the United States to the agents of

the Treasury Department along the border to cooperate in every way, even to the extent of submitting all their books and records to this committee?

Mr. HALL. I did not know that.

The CHAIRMAN. Did you know that officials of the Department of Justice, engaged in work along the border, who have been representing this Government for many years, have been furloughed and assigned for service to this committee?

Mr. HALL. I did not know that until your arrival here.

The CHAIRMAN. Has your attention been called to the fact that the War Department of the United States has assigned for service to this committee one of its intelligence officers, who is in company with this committee wherever they go, assisting them?

Mr. HALL. I did not know that.

The CHAIRMAN. I will introduce you to Capt. Hyde, who sits at the end of the table there, Mr. Hall, who was assigned to us by the War Department. Do you know Capt. Hanson?

Mr. HALL. I have not had that pleasure. I saw him at the banquet last night and had him pointed out to me.

The CHAIRMAN. Do you know he is a captain of the Texas Rangers?

Mr. HALL. I knew through the newspapers or I read in the newspapers that he had been assigned to the service of this committee by the governor of this State.

The CHAIRMAN. By the governor of this State?

Mr. HALL. Yes, sir.

The CHAIRMAN. Then you at least have some information which would—unless contradicted—which would tend to satisfy you that the committee is cooperating with the State of Texas and also with the national administration at Washington?

Mr. HALL. Absolutely.

The CHAIRMAN. Mr. Hall, where did you live in Mexico?

Mr. HALL. I lived in Guadalajara, Mexico.

The CHAIRMAN. Did you live in the northern part of the Republic at any time?

Mr. HALL. No.

The CHAIRMAN. So you are not personally familiar with any activities which I might have been engaged in in Chihuahua or Sonora or the northern States?

Mr. HALL. No, sir.

The CHAIRMAN. Were you in Mexico in 1883?

Mr. HALL. No, sir.

The CHAIRMAN. Then you would not be familiar with any activities of mine in that year in the State of Zacatecas, in the event I was engaged in such activities?

Mr. HALL. No, sir.

The CHAIRMAN. I think that is all, Mr. Hall. Very much obliged to you, sir, in assisting us to clear up the matter.

(Thereupon, at 1.05 o'clock p. m., the committee recessed until 2 o'clock of the same day.)

AFTER RECESS.

**TESTIMONY OF MISS GENEVIEVE SMITH.**

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

The CHAIRMAN. Miss Smith, where do you live?

Miss SMITH. In San Antonio.

The CHAIRMAN. What is your occupation?

Miss SMITH. Newspaper reporter.

The CHAIRMAN. Do you know Mr. Guillermo Hall

Miss SMITH. I do.

The CHAIRMAN. Have you had any conversation with him within the last few days with reference to any member of this committee?

Miss SMITH. Yes; about a week or 10 days ago; I don't remember the date exactly.

The CHAIRMAN. Were you interested in the conversation as a reporter?

Miss SMITH. Yes; certainly.

The CHAIRMAN. Just let us have the general purport of that conversation, if you please.

Miss SMITH. As you probably know, I go to the chamber of commerce, where Mr. Hall's office is. I see him daily. Frequently he gives me tips, as we call it in our profession; that is, hints as to where I can get a story. One day, in speaking of the coming hearing, he mentioned the facts that he had been told that Mexico was making an investigation of your—of Senator Fall. He said further that he had been told that he had been connected with the Terrazas interests in Mexico, and I think the conversation stopped there and I went away thinking about it. Oh, yes; he gave me the names of several people in this city who are Mexicans, because his work keeps him closely in touch with the Mexicans; he gave me the names of several people, and later I went to the library and read the story of the Terrazas family, and then I came back with the Literary Digest of the date of November 8, which carries this story, and I asked Mr. Hall if that was the family he referred to and he said yes, and we had a little conversation about it there; I think about the same information as given—

The CHAIRMAN. Did you take the information which you obtained in this way to any one else here?

Miss SMITH. I discussed it with Mr. Morrison, on the paper; he was covering this hearing. I told him because he was covering the hearing.

The CHAIRMAN. Mr. Morrison prepared the newspaper story on it?

Miss SMITH. A very short one.

The CHAIRMAN. Whom did Mr. Hall tell you to interview here with reference to this?

Miss SMITH. Well, he said the Mexican consul, Consul Gonzales de la Mata, would probably know more about it, and he gave me the name of Mr. Gonzales—Mr. Roque Gonzales—a former citizen of Mexico, who is now in San Antonio, and one or two other names I don't remember. There was one who is an agent, I think, for Villa: he said he would be unfriendly to the Carranza interests and he might have something about it.

The CHAIRMAN. Something about my connection?

Miss SMITH. About the investigation of Mexico. Then I said—I asked him if he knew whether the vice consul was from Chihuahua, the State in which this Terrazas family resided, and he didn't know; but I was under the impression the vice consul was from Chihuahua. I believe he also said Mr. Beltran, ex-consul in San Antonio, might know something about it. Later I talked to the consul and vice consul about it.

The CHAIRMAN. Did you get any information from them?

Miss SMITH. The vice consul said, when I asked him, it was possible—when I asked him that Mexico was making an investigation he said, "Possibly." I said, "Do you think that Mexico would likely launch a counterpropaganda?" and the consul said, "Possibly." I asked him if he knew anything about it and he said, "We are not in touch with Mexican politics," and he shrugged his shoulders.

The CHAIRMAN. Mr. Hall told you that the Mexicans were investigating; did he say who—whether Secret Service men or agents?

Miss SMITH. He said agents of Mexico.

The CHAIRMAN. Agents?

Miss SMITH. That is the impression I got. Whether he said Secret Service agents I couldn't positively swear, but that was the impression I got.

The CHAIRMAN. He was giving you a tip?

Miss SMITH. A tip.

The CHAIRMAN. Did you ask him for it, or how did he happen to give it to you?

Miss SMITH. I have known Mr. Hall ever since he has been in the chamber of commerce and he frequently gives me tips. He frequently gives me tips, because I go over there daily and follow them up; sometimes he gives me very good stories.

The CHAIRMAN. Have you had any conversation with Mr. Hall as to what would be his course in the event there was any trouble between this country and Mexico?

Miss SMITH. No; I have not.

The CHAIRMAN. He has not told you what would likely be his course in the event there was any trouble between this country and Mexico?

Miss SMITH. No; he has not told me what his course would be.

The CHAIRMAN. Do you know Mr. Hall's wife?

Miss SMITH. I do not; I know him only in a business way.

The CHAIRMAN. Were you present at any time when Mr. Hall made any public speech with reference to Mexico?

Miss SMITH. I heard him make one public speech at the Rotary Club, and I have heard him express himself privately sometimes.

The CHAIRMAN. I won't ask you how he expressed himself privately.

Miss SMITH. It has been the same, Senator Fall, as it has been in public.

The CHAIRMAN. Do you know any occasion upon which Mr. Hall, in the interests of the chamber of commerce, sought to go to Mexico?

Miss SMITH. In the interests of the chamber of commerce?

The CHAIRMAN. Or otherwise in trade relations?

Miss SMITH. He went once last year as official interpreter for the Mexican trade trip, and he has planned to go this year for a similar trade trip.

The CHAIRMAN. Do you know anything about his passport arrangements?

Miss SMITH. I do not.

The CHAIRMAN. You know the Mexican consul here, and the Mexican vice consul?

Miss SMITH. Yes; I go there almost daily, too. I frequently have applied to Mr. Hall for information because he is a linguist, and he was very well acquainted with the Mexican consul, because their business interests are similar, and he has frequently helped me in stories.

The CHAIRMAN. Have you ever been referred by the Mexican consul to Mr. Hall for verification of a story?

Miss SMITH. I think on minor things once or twice. I remember one time the Mexican consul was about to give me a message that had come from the Mexican Government, a message of greeting; I think it was in anticipation of the proposed trade trip. I believe he referred me to Mr. Hall because he had sent it to him—in little minor affairs like that.

The CHAIRMAN. On any trip which you have made, or any visit that you have made to the Mexican consul, or any interview with the Mexican consul, have you secured any documentary—any documents from the consulate, of any kind or character?

Miss SMITH. Frequently I get written interpretations of official messages; I mean, press messages, from the Mexican Embassy in Washington.

The CHAIRMAN. I call your attention specifically to one pamphlet; have you ever seen the pamphlet "The Conspiracy Against Mexico"?

Miss SMITH. I have seen a pamphlet called "Intervention in Mexico," by Arthur Thomson. I believe "Intervention in Mexico" is the title.

The CHAIRMAN. Isn't it "The Conspiracy Against Mexico"; are you positive?

Miss SMITH. "Intervention in Mexico."

The CHAIRMAN. We have a copy of it here.

Miss SMITH. I know the cover very well; it is that of a clawlike hand extending over the book.

The CHAIRMAN. Yes; extending over the picture of Mexico.

Miss SMITH. And I know the author is Arthur Thomson.

The CHAIRMAN. Arthur Thomson. Where did you see that?

Miss SMITH. I saw it first in Mr. Hall's office.

The CHAIRMAN. In Mr. Hall's office?

Miss SMITH. He handed me a copy of it, saying it was Bolsheviki literature.

The CHAIRMAN. Did he tell you where he had obtained it?

Miss SMITH. Yes; he said he had obtained it from the consul, De la Mata; he had given it to him to read over and to pass his opinion upon.

The CHAIRMAN. Did you have any conversation with the consul about it?

Miss SMITH. I had a conversation with the vice consul because the consul was absent.

The CHAIRMAN. What did you learn from him, if anything, with reference to this pamphlet?

Miss SMITH. Before I had the conversation with the vice consul I knew the story; virtually, I learned it from Mr. Hall, and the vice consul corroborated the story—do you want me to tell that?

The CHAIRMAN. Yes.

Miss SMITH. He said several copies of this, a package, had been received at the consulate from an unknown address. That interested me because I thought that sounded rather unusual for books to be coming from an unknown address, and I asked him how they came, and he said by express. I didn't say anything further about that. He said these books had come by express from an unknown address and that the consul had given one to Mr. Hall to read over, because the consul does not read English, they were printed in English, and so Mr. Hall read it over and told him, the consul, that it was Bolshevik literature, to have nothing to do with it. Vice consul Marshall told me that he understood he had followed his advice and hadn't distributed any of the literature. I asked him for a book, because we had gotten in a telegraph story, and he didn't give it to me because he said he didn't have any authority, since the matter was in the consul's hands.

The CHAIRMAN. You didn't yourself trace it up through the express office to ascertain really where it came from?

Miss SMITH. I asked a man who was with the express company if it were possible that package came from an unknown address, and he said it might be possible, but wasn't probable because there was carbon copies of the bills of lading, I believe he said, made of every package sent out, and that the address of the sender was pasted on the wrapping. He said now this might have been torn off, but it is not very probable.

The CHAIRMAN. Will you examine this pamphlet and see whether you can identify it, or whether you have ever seen one like it before? [Handing witness a pamphlet.]

Have you got a copy, Mr. Jackson, of the previous hearings of this committee in which this matter is referred to—have you a copy of the part there?

Mr. JACKSON. I can go through my baggage and see—I have part of this.

The CHAIRMAN. Does that part include the report that was made by this committee to the President of the United States?

Capt. HANSON. Yes, sir; I have that.

The CHAIRMAN. You have that?

Capt. HANSON. Yes, sir; I have it.

The CHAIRMAN. Let me have a copy.

Is that similar to the document which you—

Miss SMITH. The cover is exactly the same; however, I was under the impression it was called "Intervention in Mexico," the author is the same—I was looking for some of the passages I have discussed, to see if the subject matter is the same.



The CHAIRMAN. The subject matter is the same. Was your attention called at that time that you read it over to any paragraphs in which occurred the names of Secretary Lane——

Miss SMITH. No.

The CHAIRMAN. Of the Department of the Interior, or the President of the United States, or did you read it carefully?

Miss SMITH. I did not read it carefully, because the copy that was handed to me was lost, and the other time I merely glanced over it with the consul in discussing it. At the time that matter came up, Senator Fall, I paid attention to certain passages that had been pointed out through the press, that you had called attention to.

The CHAIRMAN. In reference to the soviet?

Miss SMITH. Yes, sir.

The CHAIRMAN. A comparison between the constitution of Mexico and the soviet government?

Miss SMITH. I remember that the paragraph said in the subject matter that Mexico, next to Russia, had made the greatest progress in soviet government.

The CHAIRMAN. You recognize the paragraph?

Miss SMITH. Yes; that was one of the paragraphs.

The CHAIRMAN. Was that the document that I was calling your attention to, which attracted your attention, you verified?

Miss SMITH. That's what I wanted to do—was to verify it. I had your paragraphs, and I tried to verify it afterwards.

The CHAIRMAN. Your attention at that time wasn't called to the statement that occurs on page 24, of this paragraph—

Meanwhile, Franklin K. Lane and his associates on the American-Mexican Joint Commission were attempting to browbeat the Mexicans into yielding the guarantees demanded by the Rockefellers, the Guggenheims, the Dodges, and the Dohenys. Although in explaining the expedition the President had declared that the troops would not be used in the interest of "American owners of Mexican properties" "so long as sane and honorable men are in control of the Government;" and the public statement of Lane, issued at the end of November (1916), after a long interview with the President, was nothing more nor less than an acknowledgment that the troops were being held in Mexico for that purpose and for no other, and a threat that they would remain there until an agreement was reached regarding such little matters as oil and mining taxes.

Miss SMITH. No; it was not.

The CHAIRMAN. You didn't have your attention directed by Mr. Hall or any one else to the paragraph on page 23: "The present administration's actions are well known. One day President Wilson is for a thing and the next he changes;" then quotes from his Indianapolis speech, and then from his note to Carranza of June 2, 1915. You didn't have your attention called to that?

Miss SMITH. I think that was one of the paragraphs that you had called attention to in the press.

The CHAIRMAN. In that way, at least, you identify this document as identical to the one which was handed you by Mr. Hall, and which he told the Mexican consul was bolsheviki literature? Did you, in noticing the statement that you say attracted your attention, as coming from myself as chairman of the committee with reference to this article, did you notice any statement as to how it was being disseminated?

Miss SMITH. Yes.

The CHAIRMAN. You learned it from the statement which the press published from myself; you learned it was being disseminated through the Mexican consuls and Mexican ambassador at Washington, and that this committee had received from the Mexican ambassador at Washington?

Miss SMITH. Yes.

The CHAIRMAN. Did you at that time have your attention called to the author of this document by Capt. Hanson, investigator for this committee?

The CHAIRMAN. No; I read the story. The matter rested for several days until Mr. Hall asked me for a copy of my story.

The CHAIRMAN. Mr. Hall asked you for a copy of your story?

Miss SMITH. Yes.

The CHAIRMAN. What became of that story?

Miss SMITH. That copy that I gave him?

The CHAIRMAN. Yes.

Miss SMITH. I don't know.

The CHAIRMAN. The original—what did you do with that story?

Miss SMITH. We killed that copy; it was destroyed, I suppose, but it came out in the story virtually as I wrote it.

The CHAIRMAN. I find it in the report that has not been printed, a copy of the letter of the author, but I was under the impression that there had been, and consequently you would have noticed it possibly. I may say, for the information of the public, that the author wrote that he had disposed of 5,000 copies of it to the Mexican consul at San Francisco for distribution, and if they could secure more money from the Government he would furnish additional copies of the document, which Mr. Hall pronounces Bolsheviki literature.

I thank you for your information.

Miss SMITH. You are quite welcome.

The CHAIRMAN. You may place this telegram in the record, and also the answer:

MEXICO, D. F., *January 16, 1920.*

Senator ALBERT B. FALL,  
*San Antonio, Tex.:*

I acknowledge receipt of your telegram of yesterday, and am very sorry that you have not taken my telegram in the sense and spirit in which it was sent; that is to say, a really sincere and candid invitation that you would visit and see our country. Your telegram declining my invitation is nevertheless the most illuminating document that could have been written, since it gives us the opportunity of knowing the purpose of the investigation that you are carrying on. The fact is that the Government of Mexico could not invite you to come and have conferences with the rebels, but we invited you to travel and see the country; and I can assure you that there is not a railway line here you could not go in a special car under the protection of our troops, if you consider essential, to know what the opinion is of such and such a group of rebels; and if you think that the best way of ascertaining the real conditions of our country is to listen to reports instead of really and actually seeing the way the nation is living and working, I do not think I can be useful to you.

I do not think that, being as you are a man of very independent criterion, that you would not be able to see the truth even though you were our guest. I am very sorry that I can not accept your invitation to go to San Antonio, and, in fact, I do not see any purpose to my trip, since my opinion has been perfectly consistent on the point that the investigation that the Senate is carrying on is contrary to the international principles and to the respect due to the sovereignty of my country. I welcome the opportunity you have given me to change a few words and of knowing the true object of the in-

vestigation. Hoping to meet you personally some time in the future, I am most cordially, yours,

LUIS CABRERA.

SAN ANTONIO, TEX., *January 17, 1920.*

Hon. LUIS CABRERA.

*Mexico City, D. F.*

Your telegram of the 16th. I note your opinion has been "perfectly consistent that the investigation that my committee is carrying on is contrary to international principles and to the respect due to the sovereignty of your country."

I am surprised, in view of this statement, that you should have invited me to carry on this investigation in your country when you declare it contrary to international law that I should conduct it under orders from my own Government in my own country.

In suggesting that I may think that the best way of ascertaining the real conditions of your country is to listen to reports instead of actually seeing the way the nation is living, I may state to you that there are more than 200,000 former citizens of your country now under the protection of the American flag because of actions of yourself and associates, and through whom I think it possible to secure a fairly accurate picture of some, at least, of the conditions existing in Mexico. I may further call your attention to the fact that 40,000 Americans, formerly developing the farming resources of Mexico, building railroads, opening mines, constructing irrigation and power plants and building electric tramways and representing American investments approximating a total of 50 per cent of the entire tax-paying and revenue-producing wealth of Mexico, who have been driven out of your country, are now in the United States, many of them poverty stricken and are now requesting of the representatives of the American Congress a hearing as to the true conditions in Mexico resulting in the unfortunate situation in which these Americans find themselves.

I can see no impropriety, inconsistency, nor violation of national comity or international law in an investigation being carried on among these people as throwing light upon the conditions which now surround them and which may or may not be accentuated in Mexico itself.

You suggest that there is not a railway line in Mexico upon which I could not go in a special car under the protection of your troops. I have been familiar with Mexico since 1883, and until recent years, even prior to the construction of many of your railways, felt no suggestion of peril or danger to whatsoever remote districts my business might carry me in the Republic of Mexico. I regret that conditions now necessitate assurance of protection through armed forces in those traveling even as your guest upon your railways in Mexico.

I reciprocate your expressed wish that at some future time we may again meet personally.

A. B. FALL.

The CHAIRMAN. Mr. Secretary, swear me as a witness.

### TESTIMONY OF SENATOR ALBERT B. FALL.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

Senator FALL. I am going to make a statement for the record and for the public; I am going to break the silence of eight years. From time to time my colleagues and friends have insisted that I should make public a statement as to my interests in Mexico, rumors concerning which have been constantly circulated by Mexican propagandists and those possibly sincere or otherwise, knowing or unwittingly assisting in the circulation of such propaganda.

I went to Mexico in 1883; I went on horseback through eight States of the Republic. I located at Nieves, in the State of Zacatecas.

about 60 miles from the station of Cañoncitos on the Mexican Central Road. I became interested in mining at Nieves. My associate in some of the mining interests was Don Jesus Peñeri, a member at that time of the Mexican Congress. I was a practical miner, a timber man—I educated certain of my Mexican laborers in timbering mines under the American system of mining; I worked with my hands with them; I had 600 men, Mexicans, the majority of whom I paid 12½ cents a day, Mexican money, and the highest paid labor at that time—picadero<sup>1</sup> received 50 cents a day, Mexican money; they boarded themselves. I quit Mexico in 1906, and I had for the company's control, under my charge, 8,000 men on my pay roll, the maximum wage paid to either, if my recollection serves me, was \$1.50—from that to \$5 or \$6, and \$7 per day, for Mexican labor.

I never had a concession of any kind in my life in Mexico, and knew nothing about concessions, except that in agreeing to erect public smelters or reduction works where ore might be treated for the Republic—for the public as well as for our private enterprises—I had agreements with the Mexican authorities in more than one instance that machinery for such purposes might be introduced into Mexico free of import duty, and in each instance a bond was required of me that I should faithfully perform my portion of the contract, and the prices for which ores were to be reduced or handled were fixed by the Mexican Government—the maximum price. I was interested in Mexico from 1883, in a greater or less degree, until July 12, 1906. In the latter years my interests consisted entirely of stock interests in American companies only, one the Sierra Madre Land & Lumber Co., owning and controlling some 2,217,000 acres principally in the State of Chihuahua; in certain railroad companies being developed in connection with the lumber companies and mines; in certain large mining companies which invested very heavily in Mexico. The nucleus of the mining companies were the mines which myself and an old Texan, my partner, located ourselves—found, discovered in Mexico in two or three different places in the Sierra Madres. I spent a great deal of time, both alone and in company with this partner, camping out, prospecting, and mining throughout the Sierra Madres along the line of Sonora and Chihuahua. I assisted in organizing some large companies and merged my industrial interests with them, took stock for my interest and holdings. I became, of course, well acquainted with the Mexicans in the Republic. I went there during the administration of Gonzales as President. I knew Mr. Diaz personally very well, and am proud to say that I had his friendship and his very material assistance in the various enterprises with which I was connected.

Of course I knew the prominent Mexicans, and I was in camp with and associated with the men who worked for the companies which I had control of, and came in contact with the Mexican worker or peon or laborer, and knew him as very few Mexicans of the higher class ever knew the Mexican lower class, or peon, or pelado. In July, 1906, I severed my connection with every company or interest which I had in Mexico except that I retained a personal power of attorney for my partner, who had a great many million dollars invested there, and who was to me much more than a business associate or partner. In 1907 and 1908 this partner became very

deeply involved in Mexico, largely through indorsements for the companies in which we had been jointly interested. His health was very bad, he was compelled to leave the United States and take a sea voyage to Japan, and all his property was deeply involved, and I arose from a sick bed and went down to take charge of his business, without remuneration, for the purpose of saving something of the business for his family of little children. He died shortly afterwards. In winding up his business affairs I became personally interested in certain mining claims in the district of Jesus Maria de Ocampo in the State of Chihuahua. I disposed of those interests for his account and mine and that of a large number of Mexican creditors, to an American syndicate, and formed what is known as the Sierra Mines Co. (Ltd.). So, disposing of my interests I received \$75,000, par value of the stock of the company. I yet have that stock in my possession. That is my only interest in Mexico of any kind or character.

In my operations in Chihuahua I became very well acquainted with Gen. Luis Terrazas, who was the war general of that State, the man who had driven Maximilian out of the State and who had enabled Benito Juarez to make headway against the French when Juarez was a fugitive in El Paso, Tex. I have always been proud of the acquaintance and friendship with Gen. Terrazas. After the battle of Chihuahua, when Mercado was driven from that State, came through Ojinaga and took refuge with his soldiers in this State, I received from Gen. Luis Terrazas, who came out through Ojinaga with Mercado, a telegram asking me to meet him in the city of El Paso. I did so, and would have gone to meet him under any circumstances. He spoke to me of conditions in Mexico and particularly of the incarceration of his son, Luis, Chico, as I know him and had known for 20 years or more, by Villa; that Villa was demanding \$500,000 ransom for him, and asked me to assist if possible in securing his release. He had some business disagreements with an American in El Paso touching a cattle contract, and at the same time a suit was brought against him there for a large amount, I think \$185,000. He asked me to assist in the settlement of that suit. I did so, paying to the American, I think, \$26,000 in full settlement, and taking his receipts in favor of Gen. Terrazas for that amount. I was never the attorney for Gen. Terrazas; I was never interested with him in any business transaction of any kind or character, nor with any member of his family, nor with Governor Creel, who was his son-in-law, nor with any member of his family. I never, as an attorney, represented any American interests in Mexico except those which I had assisted in organizing, and in which I had the stock interests which I have referred to. I never owned a dollar of oil stock in my life. I never represented an oil company in Mexico. I worked for \$3.50 a day on the hammer in quartz mining with Ed Doheny. I think very highly of him, and personally I would do anything possible to assist him. I have many friends who have been interested in Mexico, who are in the United States, for whom I have the same feeling. I have very many friends among the Mexicans who are fugitives and are being protected under our flag here, for whom I have the very warmest feeling.

I represent a constituency, the majority of whom, more than 55 per cent, are of the Mexican blood. Any prominence which I may

have achieved politically I owe to Mexican people. I am their one representative in the Congress of the United States. I have a very great and sincere, deep and abiding affection for the Mexican people in general. Since I have been in the Senate I have had in my office at one time representatives of Huerta, of Carranza, of Villa, and of the old Científico element, all consulting me, and I think telling me everything that they knew or thought, and asking advice. I should have said, in speaking of the Científico element, representatives of Gen. Felix Diaz himself personally.

As to my ideas as to what should have been done with reference to Mexican affairs, it is not necessary for me to mention them now. Any recommendation hereafter made by this committee as to what shall be done with reference to Mexico, if anything, such recommendation will be made upon the record of this case, in so far as I am concerned. This committee was appointed by the Foreign Relations Committee of the United States Senate, of which I am a member, upon a resolution introduced in the Senate by Senator King, of Utah; he is not a member of the Foreign Relations. It was reported back unanimously from the Foreign Relations Committee, and I was directed to make such verbal report to the Senate. I did so, and the resolution providing for the appointment of the committee was adopted unanimously by the United States Senate, without dissenting voice. I may say that it was understood that in any committee that was appointed that I would be a member of it, because of my long knowledge of Mexico and of the Latin American, my familiarity with the language and the laws. I devoted five years of my time to the civil law of Mexico, and had seven prominent Mexican attorneys on my staff for more than seven years there.

I was appointed without any division of sentiment, political or otherwise, just as I have been appointed by the same authority as the chairman of the committee on Colombian affairs, handling the Colombian treaty and Colombian oil matters, etc., at issue between the United States and Colombia. No question of politics has ever arisen in any of these things. After this committee was appointed I was directed to formulate a resolution providing for its procedure, and giving me authority to use any amount of money whatsoever necessary, not limiting the amount. The two resolutions are the broadest which the Senate has ever adopted in authorization of any investigation. The committee is authorized to go anywhere and has all powers that the Senate of the United States can vest in a committee. Except by propagandists, or those knowingly or unknowingly influenced by certain propagandists, no question has ever been raised of the good faith of this committee. I have had my attention called to an editorial recently appearing in one of the great papers of the State of Texas under date of January 13, and I want to say now that what has occurred here to-day with reference to the newspaper story which was attempted to be sent out, concerning myself—not that, but rather more, this editorial has caused me to make the statement which I have just made, and which is my last word on this subject. It is an astounding thing to me that any great American paper would reflect upon the American people and the American Congress by questioning the motives of a committee appointed as this committee has been appointed.

It is hard for me to understand it. But my resentment is not because of personal criticism—that I have never replied to until this moment—but it is because such an editorial, and such efforts as have been made from time to time to attack this committee, are, under the circumstances, a reflection upon the Senate of the United States and upon the departments of this Government with which this Government is so cordially cooperating. I have no personal resentment in a matter of this kind. I do not propose to be drawn into any further controversy in this matter, but I make this statement for the benefit of the public.

The CHAIRMAN. The committee will go into executive session now to hear some of these witnesses who desire to testify. No further public hearing to-day.

# INVESTIGATION OF MEXICAN AFFAIRS.

MONDAY, JANUARY 19, 1920.

## UNITED STATES SENATE, SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS.

The subcommittee met pursuant to adjournment at 10.30 o'clock a. m. in the pink room of the Gunter Hotel, San Antonio, Tex.

Present: Senator Smith and Dan M. Jackson, Esq., clerk of the subcommittee.

### TESTIMONY OF G. O. DELAMAIN.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator SMITH. What is your name?

Mr. DELAMAIN. Delamain.

Senator SMITH. Where were you born?

Mr. DELAMAIN. New Zealand, Christs Church.

Senator SMITH. British subject?

Mr. DELAMAIN. Yes, sir.

Senator SMITH. You are a citizen, then, of the British Empire?

Mr. DELAMAIN. Yes, sir.

Senator SMITH. Have you ever had any experiences in Mexico?

Mr. DELAMAIN. Yes, sir.

Senator SMITH. When?

Mr. DELAMAIN. Well, since—I lived in Mexico since 1891.

Senator SMITH. Well, will you please tell us your experiences there, when you went, and what business you were on, and what resulted in your own way—the history of what happened there?

Mr. DELAMAIN. Well, I went into the—I went into the sheep business when I first went to Mexico near Muzquiz, Coahuila, until 1902; after that I was up on the La Babia property of Gen. Geronimo Trevino.

Senator SMITH. A little louder; I can not hear.

Mr. DELAMAIN. On the property of Gen. Geronimo Trevino, on the La Babia; then I was in the cattle business.

Senator SMITH. Where?

Mr. DELAMAIN. In the cattle business?

Senator SMITH. Where?

Mr. DELAMAIN. On the La Babia property.

Senator SMITH. Well, you went into the cattle business there. Who owned the cattle?

Mr. DELAMAIN. I did.

Senator SMITH. You? How did you obtain the property on which you were keeping the cattle?



Mr. DELAMAIN. I was renting it.

Senator SMITH. From whom?

Mr. DELAMAIN. Gen. Trevino.

Senator SMITH. Who is he?

Mr. DELAMAIN. He is dead now.

Senator SMITH. I know, but who was he?

Mr. DELAMAIN. He was a general in the Mexican Army, and he was at the time the chief of the third zone—military zone—in Mexico, in Monterrey.

Senator SMITH. What year was that?

Mr. DELAMAIN. 19—just about the time—in 1902.

Senator SMITH. Well, what happened?

Mr. DELAMAIN. Well, nothing happened until after the Madero revolution.

Senator SMITH. Well, what happened then—well, up to the Madero revolution you had no trouble of any kind?

Mr. DELAMAIN. No trouble of any kind.

Senator SMITH. Did you know of any trouble in that whole community up to the Madero revolution?

Mr. DELAMAIN. No, sir; none whatever.

Senator SMITH. Well, after that what happened?

Mr. DELAMAIN. Well, the first trouble we had was when Gen. Caraveo came through from the State of Chihuahua.

Senator SMITH. Well, go ahead.

Mr. DELAMAIN. He passed my ranch and took pretty well everything he could get, except the stock; he didn't take any stock more than kill some cattle. He took my provisions and everything else that he could take off, and my wife's property—all her clothes, provisions, and all the arms, and saddles, and bridles, and everything else on the ranch.

Senator SMITH. In your immediate neighborhood were there other foreigners?

Mr. DELAMAIN. Yes, sir.

Senator SMITH. Who were they?

Mr. DELAMAIN. The Piedra Blanca Cattle Co.

Senator SMITH. Who were they?

Mr. DELAMAIN. Blocker, Jennings, and Moore.

Senator SMITH. How many foreigners were in that immediate neighborhood at that time, estimating, just guessing at it?

Mr. DELAMAIN. Well, only three, three different ranches.

Senator SMITH. How far were they from you?

Mr. DELAMAIN. They were about 20 miles each on different sides.

Senator SMITH. Now, what happened after this first visit and the property you spoke of was taken—after the visit of which you spoke, Caraveo?

Mr. DELAMAIN. We had no more trouble at all until the Carranza revolution.

Senator SMITH. How long was that?

Mr. DELAMAIN. That must have been pretty near a year afterwards. It was after the assassination of President Madero.

Senator SMITH. When the Carranza revolution started, then what was the next thing you met with in the country in the shape of difficulties?

Mr. DELAMAIN. Only the different parties of men passing through going from Coahuila to Chihuahua—Carranza's men.

Senator SMITH. Well, what happened; what did they do to you?

Mr. DELAMAIN. They used to take horses and kill bunches of cattle—take cattle.

Senator SMITH. How long did that continue?

Mr. DELAMAIN. That continued practically until I left Mexico.

Senator SMITH. When did you leave?

Mr. DELAMAIN. In 1915.

Senator SMITH. What relations did you have with those Carranza people—what interviews did you have with them—what reason, if any, were they giving for taking your stock?

Mr. DELAMAIN. Necessity—that they needed them—that they had to have them for the purpose of feeding their men.

Senator SMITH. Did you know Mr. Sebastian Carranza?

Mr. DELAMAIN. Yes, sir.

Senator SMITH. Who was he?

Mr. DELAMAIN. He was a nephew of President Venustiano Carranza.

Senator SMITH. What relation did you have with him or he with you?

Mr. DELAMAIN. Merely I used to go to see him to try to prevent him from taking my stock horses.

Senator SMITH. Did you succeed in preventing him?

Mr. DELAMAIN. Not at all, sir.

Senator SMITH. Were your horses taken by these Carranza people?

Mr. DELAMAIN. All of them, except this first case of Caraveo.

Senator SMITH. You told us about that?

Mr. DELAMAIN. Yes, sir.

Senator SMITH. I mean from that time on?

Mr. DELAMAIN. Yes, sir.

Senator SMITH. You were captured—were you captured by anybody?

Mr. DELAMAIN. I was captured in 1916, but that was after I had gone to the Piedra Blanca Cattle Co. ranch, after I had gone to take charge of the Piedra Blanca.

Senator SMITH. Who owned that ranch?

Mr. DELAMAIN. The Piedra Blanca Cattle Co.

Senator SMITH. The same one that you spoke of?

Mr. DELAMAIN. Yes, sir.

Senator SMITH. Well, what happened there?

Mr. DELAMAIN. Well, the same thing practically happened there; they took all the horses and stock and crops and everything else there; the whole time.

Senator SMITH. Well, what happened in your capture?

Mr. DELAMAIN. I was captured by Maj. Felipe Musquiz Castillo.

Senator SMITH. Was he a Carrancista?

Mr. DELAMAIN. He was an officer in the Carranza army.

Senator SMITH. Where were you captured?

Mr. DELAMAIN. I was captured at Conejo, on the Piedra Blanca.

Senator SMITH. Anyone with you?

Mr. DELAMAIN. No—my family was there.

Senator SMITH. What did they do?

Mr. DELAMAIN. They took me away, and held me 10½ days, until I paid a ransom.

Senator SMITH. A ransom?

Mr. DELAMAIN. A ransom of \$2,000.

Senator SMITH. They held you for that?

Mr. DELAMAIN. Yes, sir.

Senator SMITH. And the ransom was paid?

Mr. DELAMAIN. The ransom was paid by the Piedra Blanca Cattle Co.

Senator SMITH. Did you know one Mr. Fred Hillcourt?

Mr. DELAMAIN. Hillcourt? Yes, sir; a very old friend of mine.

Senator SMITH. Where was he living?

Mr. DELAMAIN. He was living at his ranch, at the Encantada.

Senator SMITH. What became of him?

Mr. DELAMAIN. He was murdered by Felipe Musquiz Castillo—with his family.

Senator SMITH. Well, that was the same man that held you for ransom?

Mr. DELAMAIN. The same man; yes, sir; it was afterwards.

Senator SMITH. Do you know anything about the conditions of the murder—why he was shot?

Mr. DELAMAIN. He was ordered to—Musquiz sent him an order to leave the ranch; that he wanted the cattle; and Mr. Hillcourt refused to leave; so he went in and murdered them all and threw them down in the well?

Senator SMITH. Murdered them all?

Mr. DELAMAIN. All of them.

Senator SMITH. Who did he kill?

Mr. DELAMAIN. Mr. Hillcourt and Mrs. Hillcourt, their son, Gerasha, and their daughter.

Senator SMITH. Who was he?

Mr. DELAMAIN. He was an English subject.

Senator SMITH. What became of the property there?

Mr. DELAMAIN. It was abandoned, of course; nothing has been done with it since.

Senator SMITH. Well, the live stock and movable property?

Mr. DELAMAIN. Well, that was probably taken by Musquiz.

Senator SMITH. Did you know a man down there by the name of Pat Malone?

Mr. DELAMAIN. No; I did not know him personally.

Senator SMITH. Did you know of him?

Mr. DELAMAIN. I knew of him.

Senator SMITH. Do you know anything about his being held for ransom?

Mr. DELAMAIN. Not more than that he was held.

Senator SMITH. You know that he was?

Mr. DELAMAIN. Yes, sir. That was after I left Mexico.

Senator SMITH. That was after you left?

Mr. DELAMAIN. Yes, sir.

Senator SMITH. Now, about this ransom of—you don't know the amount of ransom required in the Pat Malone case?

Mr. DELAMAIN. No, sir.

Senator SMITH. Do you know anything about the Carrancista officers knowing of any ransom sent by Maj. Castillo?

**Mr. DELAMAIN.** Yes, sir; Felipe Musquiz Castillo.

**Senator SMITH.** What became of Castillo, if you know?

**Mr. DELAMAIN.** He was shot at the—he was captured by the Carrancista soldiers and shot at Conejo.

**Senator SMITH.** Who was he?

**Mr. DELAMAIN.** He was a major in the Carranza army.

**Senator SMITH.** And he was caught by his own men?

**Mr. DELAMAIN.** He was caught by his own men, men sent out by President Carranza.

**Senator SMITH.** And shot. Where did you go after leaving Mexico?

**Mr. DELAMAIN.** I came here to San Antonio, and then I went from here to England.

**Senator SMITH.** Did you go into the army there?

**Mr. DELAMAIN.** No; I worked in the war office.

**Senator SMITH.** In England?

**Mr. DELAMAIN.** Yes, sir; in England.

**Senator SMITH.** Did you have a son there in the war?

**Mr. DELAMAIN.** I had a son killed in the war, and I had a second son who has been demobilized.

**Senator SMITH.** All right, thank you, that is all.

### TESTIMONY OF FRED WELSH.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

**Senator SMITH.** Where do you live?

**Mr. WELSH.** I live at Hidalgo.

**Senator SMITH.** Where were you born?

**Mr. WELSH.** I was born in England.

**Senator SMITH.** You are an American citizen or an English?

**Mr. WELSH.** I am an American citizen.

**Senator SMITH.** When were you naturalized?

**Mr. WELSH.** I was naturalized in 1887 at Ottawa, Ill.

**Senator SMITH.** Since which time you have remained in America?

**Mr. WELSH.** Remained in America; yes, sir.

**Senator SMITH.** And lived in the United States?

**Mr. WELSH.** Lived in the United States all the time.

**Senator SMITH.** You live in Hidalgo?

**Mr. WELSH.** I live at Hidalgo now.

**Senator SMITH.** Will you please tell the committee what depredations, if any, you suffered, whether you had property in Mexico, or whether it was on this side of the line, and what you suffered from the incursions?

**Mr. WELSH.** I lost three valuable mares that were taken on the 3d of May. I notified the officers——

**Mr. JACKSON.** What year?

**Mr. WELSH.** 1918.

**Senator SMITH.** Whereabouts?

**Mr. WELSH.** At Hidalgo.

**Senator SMITH.** On the American side?

**Mr. WELSH.** On the American side; yes. And I notified the military authorities and we went and traced the mares across to where they took them on this side and we traced the men back to our

place. There were four men came to my farm and we traced them back, and we traced one man to the "jacal" that was on this side—the instrument on this side to help the ones on the other side to pick out—they were allotted to pick them out, I think, and we captured him—the military officer captured him and took him to Hidalgo, and Mr. Beeson, the inspector there, went across and notified the Carranza officers in Reynosa about my losses.

Mr. JACKSON. What place?

Mr. WELSH. Reynosa; it is just opposite from Hidalgo. And they went—the Carranza soldiers went out and took these animals from the bandits and brought them up to Reynosa, and Gen. Ramos, he sent a captain over to Mr. Beeson to make arrangements to get these animals back to me. While they were there this captain claimed he was insulted by some of our officers, or somebody there that said they were a band of grafters and that if Welsh would only give them a ransom like the other farmers that he would have no trouble to get their stock back again. Some of the men who had lost stock before I lost mine had given a hundred dollars or two hundred and they just naturally got their stock back. I said the only thing I would give them a reward for was if they would hang the men on the other side so they wouldn't steal anybody else's stock; I didn't propose to bribe anybody to protect mine. They went back and Mr. Beeson went over again and he said they refused to give up the stock, and they put them on the car and took them away. That is all I have heard from them since.

Senator SMITH. That was the regular——

Mr. WELSH. That was the regular Carranza officer, Gen. Ramos. The cases are all on file in the Intelligence office at Brownsville. Before that I lost considerable stock at odd times, but I could never trace it, my pastures are away off and I could not track them, for I could not tell where they went, but this time, it was a very wet night, and the tracks were sunk in 6 inches, and any fool could track them. It was a very wet night. They made a big fuss and the dogs barked and there were two stationed about 5 rods from the house, just waiting for me to come out. My wife woke me up. I sleep pretty sound and I didn't hear them very likely, and my wife said next morning it was a good thing I did not wake up because I might have been shot myself. They took the mares, and we got track of them. I lost about \$600 or \$700 worth of stuff, besides that, at different times, but we could not trace them. I heard there was some of that over there, but I could never locate them. I didn't like to go over there, it was not worth going over there after. I would rather stand the loss than risk my life. I think that is all I know about it.

Senator SMITH. What do you know of the general depredations of the Carranza forces along the border in your neighborhood?

Mr. WELSH. Only just petty thieving. I have never heard of anybody being killed or anybody being injured close there.

Senator SMITH. As to the constancy of that depredation going on across the line——

Mr. WELSH. Yes, sir; just all the time even up to this time.

Senator SMITH. Who is in control on the opposite side of the line down there now, the Carranza people?

of them dismounted with his gun presented and the other two rode up on either side and punched me around a right smart with their guns and scared my family pretty bad, to a considerable extent; they thought they were going to kill me, and I didn't know whether they would or not, but I refused to go get the horse. Finally they had a peon fellow, they had him go and get it. Well, they turned a little sheep of a pony into my pen, and it stayed there during the night, and it looked like it needed feeding pretty bad, and I fed it.

The next morning I reported to one of the officers, I do not know his name now, and I told him about it and he told me to point them out. I pointed out one, because he had my horse, and he went to him and drew his sword and I thought that I would get to see a little sight, the way he talked. I imagined that there would be a head rolling around there somewhere, but he got down there and waved his sword around him considerable, and brought him on back and told me to go down there and get it and put that horse back. I told him I didn't take it out and it was up to him to have it put back. So he went and had him take his horse and put him back and took out the little pony. Well, they didn't do anything serious to any of us there, only palavered around a little while and got what beef cattle they needed. That was all they did there. They had shot into the houses of some of the colonists, just before they got to my place, these same men, but they didn't kill anybody.

Senator SMITH. After the Vera Cruz incident things got a little worse, didn't they?

Mr. FRASIER. Yes, sir.

Senator SMITH. Well, do you know anything about robbery by the Carranza soldiers of any American just after this Vera Cruz incident?

Mr. FRASIER. Well, I have heard of it, but personally knowing it, I did not see it.

Senator SMITH. You do not know anything about that except from general reports, hearsay?

Mr. FRASIER. Yes, sir.

Senator SMITH. Do you know a man by the name of McElroy or Medlin?

Mr. FRASIER. Yes, sir; there was Medlins and McElroys there.

Senator SMITH. What became of them?

Mr. FRASIER. They are out in the States somewhere, I don't know whereabouts; they are in the States somewhere, the McElroys are, and some of the Medlins.

Senator SMITH. Well, were they held?

Mr. FRASIER. Were they held in captivity?

Senator SMITH. Yes.

Mr. FRASIER. I don't know, sir.

Senator SMITH. Don't know whether they had any ransom paid?

Mr. FRASIER. Well, you see, I came out in 1916; there might have been something happened afterwards, but I do not remember of these people being held for ransom while I was there.

Senator SMITH. Very likely it was after you left.

Mr. FRASIER. Yes, sir; because they were out in and around Tampico and up and around our ranch after I left there, the Medlin's were, considerably.

Mr. FRASIER. I mean the colony at large.

Senator SMITH. What colony was that?

Mr. FRASIER. The Blalock Colony, of Mexico.

Senator SMITH. We had Mr. Blalock on the stand?

Mr. FRASIER. Yes, sir.

Senator SMITH. You were in that same neighborhood?

Mr. FRASIER. Yes, sir; I was not one of the colonists—one of the first settlers—I went in the second year.

Senator SMITH. Do you know about any outrages committed; if so, by whom, against any Americans?

Mr. FRASIER. Well, there were so many of those outrages committed, and so many different times, it is hard for me to keep data. I kept posted on those things every day. I kept a diary of all the news I heard that transpired; I kept a diary of it; but that, with every other paper I had that was worth a cent in the world, was destroyed, consequently I am short on that. I can recollect the incidents, but can not recollect it all.

Senator SMITH. Then, you say that all the data you carefully kept was destroyed, and that you have to depend on memory?

Mr. FRASIER. Yes, sir; I have to depend on memory.

Senator SMITH. Do you remember anything about the case of an American girl—any outrage committed by the Federal soldiers at Tampico?

Mr. FRASIER. Well, in or near Tampico; it was a family by the name of Gourd, Gourd was the name; I was not acquainted with them, some of our colonists were acquainted with them, but I was not. I believe I saw the two girls, women, I think I did, when we came out of there in 1913—well, in fact I know I did; they were pointed out to me, and then I saw this man Gourd there, and I saw the two women. They said they were his daughters.

Senator SMITH. You know nothing personally about it?

Mr. FRASIER. No, sir; I know nothing personally about it, only just from hearsay, that was all I know about that, and the depredation was pretty tolerably tough, the way I can gather.

Senator SMITH. What was the feeling of the Carranza officers down there, did you hear their expression generally as to the Americans?

Mr. FRASIER. Well, not very good.

Senator SMITH. Well, were they very bad?

Mr. FRASIER. Well, you might term it bad; if you was at the point of a gun—I have been punched in the belly several different times by those people.

Senator SMITH. For what?

Mr. FRASIER. Just because I would not dance when they wanted me to. I have been punched around at various times a right smart by the different people at different times—that is, the Federal troops; that is, it was this Castro's bunch passed through our country at that time, about 750 strong, and part of his men came in at night and demanded that I go to my corral and get the horses out for them, and I told them I would not do it—if they was a mind to take my horses they would have to take them, but I wouldn't give them to them. They threw down a rope and told me to give it to them or they would kill me, and I told them they can go on and kill me, just go on with their killing, I am not going to do it. One

of them dismounted with his gun presented and the other two rode up on either side and punched me around a right smart with their guns and scared my family pretty bad, to a considerable extent; they thought they were going to kill me, and I didn't know whether they would or not, but I refused to go get the horse. Finally they had a peon fellow, they had him go and get it. Well, they turned a little sheep of a pony into my pen, and it stayed there during the night, and it looked like it needed feeding pretty bad, and I fed it.

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Senator SMITH. Down at Ocampo do you know of the killing of anyone down there by Carranza soldiers?

Mr. FRASIER. Any Americans at Ocampo?

Senator SMITH. Yes, sir.

Mr. FRASIER. No, sir; I do not. There were several American citizens killed at our ranch, but we were 12 miles from Ocampo, west of us 12 miles.

Senator SMITH. Who was killed on your ranch?

Mr. FRASIER. Well, I believe about the first man that was killed on our ranch was a man by the name of Brooks, supposedly killed by the Mexicans. He had some trouble with a Mexican down there about a girl, and got some stuff at my place, got some groceries, and there on the mountain he was killed before he got home; and it was supposed to be by a Mexican, and I believe it was from the evidence.

Senator SMITH. What were the initials of Brooks?

Mr. FRASIER. I do not know. Mr. Blalock, you know.

Mr. G. E. BLALOCK (from the audience). Bill Brooks.

Senator SMITH. Mr. Blalock has testified.

Mr. FRASIER. It was supposed that he was killed by this Mexican from the evidence that I gathered, and the evidence that I gathered came in peculiarly, but maybe you would like to have it. I sold shot as well as other stuff there at my store, and had ordered some shot from Tampico and they sent me out "blue whistlers."

Senator SMITH. Buckshot?

Mr. FRASIER. No; bigger than buckshot, great big shot. There was no shotgun there that could use that hardly at all, and there was one Mexican, it was the Mexican who was supposed to have killed this man, who bought some of this shot; he bought a great many, he would kill a great many deer with it, and he always put seven of these shot in his shell; and this man was shot with seven of those big bullets.

Senator SMITH. Do you know of anyone else that had such shot in the country?

Mr. FRASIER. No, sir; I do not. In fact, I was the only man that was selling shot in the country.

Senator SMITH. Did they ever try him for that?

Mr. FRASIER. Well, they had a little trial and it was all bosh, we have learned that.

Senator SMITH. Do you know anything about the wife and sister-in-law of I. M. Voight?

Mr. FRASIER. No, sir; I do not. I have heard something about that, but I don't know anything positive about it.

Senator SMITH. Do you know anything about the killing of Randle?

Mr. FRASIER. Yes, sir; I do.

Senator SMITH. What about it?

Mr. FRASIER. He was killed on our ranch. I reckon that was about 1909 or 1910; along there; possibly it was as late as 1910. I had it in my diary, but I have not got it now. He was murdered by—as it was proven afterwards—three or four different Mexicans. There was one, I suppose, lying down in the wagon, watching, giving signals; that is the way they told it, as to when he was coming.

which direction, etc. They came on into his house and murdered him in his house, and cut him all to pieces with machetes, and then robbed and carried over there to his well. I know he was robbed because he had money; he was at my place the day before this occurred and he had quite an amount of money, and the money that I saw taken from the Mexicans they said had killed him.

Senator SMITH. Did they ever try them for that?

Mr. FRASIER. These Mexicans that killed him, they were tried in a way; the evidence was conclusive and they were bound to find them guilty; they found those Mexicans guilty; I saw the three gentlemen in strings, elbow to elbow. I was going to Tampico to buy goods, and I saw them at the station; they told me they were carrying them to Victoria to shoot them, execute them.

Senator SMITH. How far was it from your ranch to Victoria?

Mr. FRASIER. From their ranch, I think 80 miles; something near 80 miles.

Senator SMITH. They gave no reason for carrying them that distance?

Mr. FRASIER. Victoria was the capital of the State, and they carried them up there to have a good thing of it.

Senator SMITH. Did you ever hear of those men afterwards?

Mr. FRASIER. Yes, sir. They afterwards, some of them, came back to our ranch instead of "putting the bud" to them, they put them in the army as a punishment, to serve out their term there, I do not know how long, but anyhow they were seen at our ranch afterwards, some of them; I do not know whether all of them were, but I saw one of them, he looked liked the same Mexican. All coons look alike, they say, and very nearly all Mexicans look alike; unless you are very well acquainted with them you can not recall them very well.

Senator SMITH. I appreciate the difficulty. Say, did they ever have you prisoner down there?

Mr. FRASIER. Yes, sir.

Senator SMITH. Whereabouts?

Mr. FRASIER. At Ocampo.

Senator SMITH. What for?

Mr. FRASIER. For kicking a Mexican out of my house.

Senator SMITH. And they arrested you and held you there? How long?

Mr. FRASIER. Oh, three or four days.

Senator SMITH. How came you to kick the Mexican out of your house?

Mr. FRASIER. Well, the first of it, I had sold the Mexican a sewing machine on the installment plan—to pay for it every week—for the machine. He paid the first week—he was a shoemaker, and he used this machine in sewing leather, and his wife used it also in sewing garments, so in our transaction it was stipulated before a witness—you have to have things witnessed before a Mexican contract—and it was witnessed at that time, to pay me an installment every week. Well, he went on until he paid a little bit of it, and paid by letting me have shoes at a stipulated price to sell in the store. I would take these shoes and credit him; and he had a tendency to drink right smart, when he could get it, and he got in the habit that instead of selling me shoes, he would sell them to

somebody else and drink it up. His wife came over and told me that Federico was drinking up all the money, and she didn't believe that he could pay for the machine.

He and his wife both went into the trade to pay for that. I told her I couldn't do anything in regard to that, he would have to come around and pay, because the time was pretty well up for him to pay for the machine, there was only a part of it paid, a small part at that. Well, he came over with a pair of shoes, and he wouldn't sell them to me only except for the money. I told him that I would not pay him the money on them, that I wanted the machine paid out. He told me not to have any fear, that he would soon have plenty of money. He was drinking some then and he went off with the shoes and sold them to another party. He said his brother was in there, or his wife's brother, I disremember which, they wanted to have a "fiesta," they could get the whisky and get on a pretty big drunk, so they got the money from somebody else, and during the time his wife hollered to us, I went across the street where she was at, and she said, "Federico is 'mucho barracho'"; that is, drunk. I said, "Well, you are going to have to do something with him, or you will lose that machine." I told her I could not do anything with him. I went on back to my place of business, and he came on up there, and I told her that he would either have to lose that machine or pay for it, that there was no 27 ways about it, that I could not give it to him, I would have to have the money or the machine; he got awful mad and he came over to my place of business. They generally carry a blanket with them, whenever they have something up their sleeve. A man by the name of Smith was doing my freighting. He came in, abusing me, and I told him I didn't want to have anything to do with him, that he was drunk. He didn't want to get out and I pushed him out. He came in and I pushed him out again. He came in and that time he made a scratch on my face, and I just gathered him by the shoulder, and that blanket, and I put him out of that house, and as I undertook to throw him out of the door—it had a little gallery—his blanket slipped and I threw him down on the floor and his face struck the corner of a box somewhere along here [indicating] and it bled a little bit, and he turned to kick me, and of course I was some kicker, too, and I kicked him until he said he would be good.

Well, we went out from there and my friends told me—my Mexican friends told me—they said "There will not be anything to this: he has laid himself liable, as you can prove, and there will be nothing to it; let him go." As I didn't do anything, he had me arrested and put in jail. It didn't cost me much.

Senator SMITH. How long were you in jail?

Mr. FRASIER. About four days.

Senator SMITH. And got out?

Mr. FRASIER. Yes, sir; paid out.

Senator SMITH. When did you come away from Mexico?

Mr. FRASIER. The last time I came out on August 4, 1916.

Senator SMITH. 1916?

Mr. FRASIER. Yes, sir.

Senator SMITH. Now, what became of all the movable property that you and the colonists and all those people had that were down there?

Mr. FRASIER. I think the bulk of it went up; mine did.

Senator SMITH. What do you mean by going up?

Mr. FRASIER. Into the hands of those fellows that were there to receive it—they got it—both sides got it; but I think from what I can gather—I think the Federal side got the bulk of ours. When I came out in 1913 I left quite a stock of stuff there of various classes. I have never gotten anything out of that. I had a considerable store full of goods, and I never got anything out of it, except when I was there in 1915 I sold for such money as I could get; I had to sell for that or they would take it. They would count the money no good; I would either have to take that or something else, but while it was good I could buy something to eat with it just the same as anybody else. But finally I came out; I was not stocked up much.

Senator SMITH. What is the hope, as you see down there, for any law or order?

Mr. FRASIER. There has got to be one made.

Senator SMITH. There is none there now?

Mr. FRASIER. No, sir.

Senator SMITH. There has not been since the revolution started?

Mr. FRASIER. Practically none.

Senator SMITH. That will do.

### TESTIMONY OF DR. JOHN HUNTER.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator SMITH. Where were you born?

Dr. HUNTER. I was born in Hamilton, Ontario.

Senator SMITH. Are you an American or British subject?

Dr. HUNTER. American.

Senator SMITH. Where were you naturalized?

Dr. HUNTER. Never was; my parents just happened to be on a visit there, so I am told.

Senator SMITH. Oh, I meant whether you are an American citizen?

Dr. HUNTER. I am an American citizen.

Senator SMITH. So, you were born there, but you were born of American parents?

Dr. HUNTER. Yes, sir; they were just on a visit.

Senator SMITH. And ever since you have been exercising the rights of an American citizen; have lived in the United States principally?

Dr. HUNTER. Yes, sir. I have lived in Mexico quite a while.

Senator SMITH. All right. I will get to that in a minute. What is your profession?

Dr. HUNTER. Medicine.

Senator SMITH. Where were you practicing before you went to Mexico?

Dr. HUNTER. I was practicing in Hawaii.

Senator SMITH. Where?

Dr. HUNTER. I was practicing in the islands of Hawaii, before I went to Mexico; I was practicing in New York before I went to Hawaii.

Senator SMITH. When did you go to Mexico?

Dr. HUNTER. In 1906; I entered at Nogales.

Senator SMITH. Where did you land in Mexico?

Dr. HUNTER. Hermosillo.

Senator SMITH. Will you please succinctly try—it is not necessary for me to ask you the questions; you know the history of your experience there. Will you commence with your advent into Mexico and detail as briefly as you can your experiences there?

Dr. HUNTER. I went into Mexico partly an invalid; I was ill, and I went into Mexico at the invitation of Dr. Johnson, of Tennessee, to visit him at his mine on the Yaqui River in Sonora. At that time the Yaquis were on the war path, and they were killing about a man a day. I stayed there about a month and went back to Guaymas, and from there I went to the mine called Lluvia de Oro.

Senator SMITH. Where was that?

Dr. HUNTER. I believe that was in the edge of Chihuahua; it may be, they are right near where Chihuahua and Sinaloa come together. I am not positive which side they are in now. These mines shut down to build—I became physician to the mines, and they shut down to build a new mill, which would take them two years, but it took them longer than that. I started back to the States, and on the way I made arrangements to go back to the mines in the State of Sinaloa, and I stayed there for a while and went to—I left there because I found it was a wild-cat mine, and I went to Culiacan and established a practice there. I came back to the States, however, before I located in Culiacan. This was in the time of Diaz, and I went to Chihuahua and got some mules and an Indian guide; he could not speak English and I could not speak Spanish then, and I went across the Sierra Madre Mountains to the west coast alone, and I slept anywhere that night would catch me. In the little towns on the water—they all build on water courses when they could, they did not want to be where there is no water—I would sleep in the edge of the towns, in the center of the towns, in the woods, or anywhere, without the slightest uneasiness at all, and I went on without any trouble. Now I hardly want to stay anywhere in any house anywhere in Mexico. I went to Culiacan and I practiced nearly two years there.

Senator SMITH. Now, conditions changed from the days of the—who was in control of Mexico: who was President of Mexico at that time?

Dr. HUNTER. Diaz.

Senator SMITH. Now, coming on down—what the committee wants to get at is the conditions down there: what you have seen with your own eyes?

Dr. HUNTER. Well, they changed very materially after the revolution started—the Madero revolution.

Senator SMITH. Do you know a man by the name of Kelley, a mining engineer?

Dr. HUNTER. Yes; sir; very well.

Senator SMITH. Where was he living?

Dr. HUNTER. At the El Favor mine, in Jalisco?

Senator SMITH. What year was that?

Dr. HUNTER. 1912 and 1913, and up to 1914.

Senator SMITH. Did they have mines down there?

Dr. HUNTER. Yes, sir.

Senator SMITH. What became of them?

Dr. HUNTER. Of the mines?

Senator SMITH. Yes.

Dr. HUNTER. I do not know; I left them there.

Senator SMITH. The mines are still there?

Dr. HUNTER. Yes, sir; but that is about all the property, though. Mr. Neal, I understand, who was manager at that time, is back in Mexico.

Senator SMITH. Do you know whether any of that property was destroyed by dynamite there?

Dr. HUNTER. No; I do not know that the property was destroyed by dynamite. I know they tried to destroy my house with dynamite.

Senator SMITH. That is what I am trying to get at. Where were you then?

Dr. HUNTER. I was in a house that I occupied down on a large gulch that ran below the mine, and below the plateau, on which the residences of the mine workmen were—where they lived, and they had a store. And I had built about a 10-foot rock fence around it with a tower in each corner, and there was an opening in each side of the tower; and one time we were notified that Julian Medina, a noted bandit, was coming down to the mine, and Mr. Neal telephoned me to come up to the mine as quickly as possible, and I went up to the mine; I had a shotgun and a pistol and I carried them with me. He said, "You are just in time; they will be here in 20 minutes." There were four of us there, Mr. Hardley, Mr. Williams, Mr. Neal, and myself, and we held a council of war, and we all decided to fight them. We got into those towers and held them off until we could get aid from Gen. del Toro, who was stationed at Hostotipaquilla. He had 400 armed men over there, and there were 300 claimed to be in this band. They had sent down and asked Mr. Neal if he would surrender the place, and he sent them word, "No; that if they got it they would have to take it, and Mr. Neal said, "I want to fight them, too; we can hold them off for three weeks; we have provisions here for three weeks, but during that time they will dynamite the mine, the mill, and lose the company a great deal of property. He said, "I think we had better let them come on down and try to compromise with them." So we agreed to do it. I was in one of the towers as they were coming down; the trail zig-zagged over the mountain as they came over. The first man had a big, red flag, about four feet square. To his rear there were 20 men, a long distance, then another group of men; then a distance, and then another group of men, and so on to the end.

I was dressed in white clothes, so they could see me; they saw me through this opening of about 3 inches by about 4 feet high. I was in the corner next to the door that had been dug out of the side of the gulch on the other side, about as far as the width of two of these streets from my tower. We had agreed that we would not shoot a gun at all until notified by Mr. Neal, unless there was somebody trying to get over the wall or fence back of us. Those fellows saw me, the first ones; just in an instant they dropped down in the road and everyone pointed their guns up, hid behind the rocks, and pointed their guns at me up in the tower like that. I waited a few minutes, somewhat in suspense, and they jumped on the horses as quick as lightning and ran around to the gate or door and hollered, "Viva, Villa; viva Zapata." And when they got there they said they wanted to talk to the manager. "I am

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Dr. HUNTER. Of the mines?

Senator SMITH. Yes.





the manager," said Mr. Neal. "Open the door," said Julian, and they said, "If you don't open it we will dynamite everyone; we will dynamite it." And every one of them had dynamite, so far as I saw. He said, "I will open it if you will come in by yourself." "All right," said Julian; and he opened the gate and stepped in Julian, and stepped in Estrada, and stepped in another man, and when he started to slam the gate he stepped up and turned to us and said, "Men, don't allow this gate to close under any circumstances; don't allow anybody to come in or go out, and at the sound of the first gun dynamite the whole place." Mr. Neal said, "I guess you had better come up to the office." They compromised by giving them \$500 in money, a few rifles, ammunition, and letting them take \$500 worth of goods out of the store, which they did. Gen. del Toro, Huerta's general at Hostotipaquilla, had been notified of their coming long before they reached the mine. Mr. Neal knew it probably two hours before they got down there, and del Toro notified him over the telephone that he would come to our assistance. These fellows got down there at 10 o'clock in the morning. They robbed the whole gang of Mexicans, took every gun, pistol, horse, and everything they could get, and they stayed there until about 3 o'clock in the afternoon; still there was no del Toro; no Huerta soldiers.

They went in the direction of Hostotipaquilla and stayed there that night and the next day and still there were no Huerta soldiers. Now, three nights after that I was in my house below and this man Kelley occupied a room that was nearly adjoining my room, and a little supply of drugs and an operating room were between us and I was in my room by myself and he was in his by himself; and sometime in the night I was aroused by the most terrific explosion I have ever heard in my life, and I brushed the dirt that fell from the walls off from my face and I said, "That is dynamite. I guess I am gone now." I thought of my gun, and I had left it up at the house and my pistol, I had that in the office. I guess I would have to take it; I laid there and momentarily waited for another blast that would carry me off, but nothing more came of it, and sometime or other I went to sleep, and in the morning I woke up and went out and the sun was shining and there was quite a hole that this dynamite had made in the ground over there on the road in front of my house. The road zigzagged up to the mines that way, and they naturally had thrown this dynamite from the road over to the house and if it had struck us, of course, we would have been gone. Mr. Neal told me to come up, said he had plenty of room up here in this inclosure in which to stay. I said, "No, I won't do that, because if I do it, these Mexicans will think I am afraid of them and I will be up against it sure enough." I said I would not do it. I stayed there nearly a month before I went into Guadalajara.

Senator SMITH. What became of the mines there? Did these people, Neal and Kelley, did they leave?

Dr. HUNTER. They did not leave then. The train that was gotten up by Mr. Holmes, the British Consul, to take us all down to Manzanillo—he got the governor by staying with him until 1 o'clock in the morning—to return the train down, after the soldiers landed and captured Vera Cruz. They went back out to the mines. This I did not see myself; I got it from Mr. Neal; it was all published in the

newspapers. He told me it was facts, as published in the newspapers of New York City. Shall I tell that?

Senator SMITH. I did not catch that.

Dr. HUNTER. I say, I did not see these men that were killed after I left there, but I got it directly from the manager, Mr. Neal, himself, in a letter telling me these facts were correct as published. Shall I tell that?

Senator SMITH. Yes; as briefly as possible.

Dr. HUNTER. Well, he would not go on that train; I begged him to go on that train—to go back to Manzanillo, and come out of there. He said, "Those men are my friends, they won't bother me." I said, "They will kill you just as quick as they will anybody else." He said, "Well, I have got to go; I have got to go pay off the men to-morrow; if I don't, there will be trouble. I will come back just as quick as I can and bring the other men in." He went out to the mines and paid off the next morning. That day at noon somebody notified them in the dining room while they were eating dinner that the bandits were in the zinc room taking the bullion out. He and a young man named Baird came out of the dining room, out of the inclosure, with their guns, and turned to the left and went down a little gulch that led down by this big gulch by my house, and Williams went down toward the zinc room. Williams and Hardley, which was on the other side of another gulch that led down to the big gulch.

Mr. Neal stayed and heard shooting, but he did not know what it was. He supposed that the boys had been shooting at the bandits; that they had gone up an arroyo instead of going down, and came on back to the house. When they got on the little flat place in front of the store, some one hollered to him, "What are you men running around here with guns, what are you men anyway?" And as he turned around to see what was the trouble he heard Mr. Baird say, "No, Tiremas mas"—that is, "don't come any nearer to me," he turned around to see what was the matter with Baird and he saw a man over him stabbing him with his knife, and as he turned he got five stabs in his back.

Senator SMITH. What man was that that was stabbed by the knife?

Dr. HUNTER. Neal and Baird.

Senator SMITH. Neal was the manager of the mines?

Dr. HUNTER. Yes, sir; Walter Neal.

Senator SMITH. What do you know about seeing men hung up there and ropes under their arms and tortured?

Dr. HUNTER. I have seen that frequently.

Senator SMITH. Who were the men?

Dr. HUNTER. Mexicans.

Senator SMITH. Mexicans?

Dr. HUNTER. Mexicans; hung up by Mexicans.

Senator SMITH. For what purpose?

Dr. HUNTER. Heavens only knows. I suppose they thought they were against them. They were all claiming to be Villistas that were doing the devilment around there; the Huerta soldiers were incapable of suppressing them in any way; they would not try to do it. I saw the men hanging. They tied a rope around their arms, under their

arms like that [indicating], under their neck, and hung them up to trees so they would suffer a long time, and they will shoot them, and these fellows had their feet chopped off; they will chop off their feet and chop off any other piece, just to give them all the torture they can.

I have seen them hanging up along the road. I saw three of them at one time there; there was no feet beneath their white breeches, they wore big, loose white drawers, white shirt, the custom they have there in that country, and big hats and sandals; I saw no feet, I rode over there and lifted up their pants and saw they were chopped off, missing. When the soldiers captured Vera Cruz there were great flaming circulars spread all over the country, all over Guadalajara, I was in Guadalajara at the time, stating they were actually in war with the United States; that they had captured every town on the border, Brownsville and Laredo, and every one, except El Paso; that the prisoners at Fort Bliss had killed 800 American soldiers and with their arms and ammunition were marching on El Paso which would soon fall; that Villa had already united with Velasco, and that 150,000 brave Mexican soldiers were marching over American soil, tramping over American soil, and that the cowardly American dogs were running like chaff before the wind, that God is with us and we are going to win. It fired them so they wanted to kill everybody they saw, nearly. One morning I was going down the street, down to the hotel where the Americans had housed in the Cosmopolita Hotel, and the French in another place, and the English in another, and they had destroyed everything in the American consulate that I knew. They took the flag down and drug it through the streets. There was a little group on the corner as I went by and I heard some of them say—I had learned Spanish by this time—I heard them say, "There goes one of the beasts. Let's shoot that fellow, let's begin on him. Now is a good time to shoot him, let's begin on him." I wasn't doing anything much, and I went on and paid no attention to him, and I went farther down the street. I heard a man, I knew him, Salvador de la Campa, he said, "We will go over and kill Keep." Mr. Keep was a large merchant there, he had an immense store, selling hardware and American mining and farming implements, he must have had a couple of hundred thousand dollars' worth of stock, it was a big thing.

He said, "We will go over and commence on him." He did not see me, he was standing with his back to me, and I went over and told Mr. Keep to get out of there as quick as he could, told him what I had heard and said, "You go to the house, don't stop for anything, go to the house immediately and telephone Mr. Holmes, and see if he has arranged for that train to take us to Manzanillo." and he did it. The train had been arranged for, and he disguised himself and got down to the train, and his wife came in afterwards. I went down to the store and a Mexican came in with his hands up, and he said, "We ought not to allow any of those Americans get away from here. We ought to take them every one, men, women, and children, and put them in the penitentiary, and blow them up with dynamite the minute we hear about a Mexican being badly treated in the United States," I saw them make some Americans get out of a coach on the street and made the driver throw their

valises out and told the driver that they would kill him if he took another one in the hack. They got out of the hack and went around the street and got in another carriage and got up to the British Consulate, because Mr. Holmes had been to the Cosmopolita hotel and told them, the Americans, that they were not safe there, to come down to the British Consulate and he would try to protect them, and they all went and there was never a move made after that against them.

Senator SMITH. In the meantime, while they were getting protection under the British flag at the British Consulate, what was done to the American Consulate there?

Dr. HUNTER. It had been ransacked, so far as I know, I did not see it, I did not go to it, but everybody said it had been, and the American consul was in hiding.

Senator SMITH. Who was the American consul?

Dr. HUNTER. Who was he?

Senator SMITH. Yes; who was he at that time, do you remember?

Dr. HUNTER. Yes—I knew his name, I do not remember now, I knew him well.

Senator SMITH. It does not matter, it can be obtained.

Dr. HUNTER. Yes, it is in that thing I sent to Mr. Hanson.

Senator SMITH. What indignities did you see perpetrated, if any, on the Americans there, as to shaving their heads and that sort of thing?

Dr. HUNTER. Plenty of it. I was in Culiacan when the Southern Pacific Railroad built in there, and they would catch any American that they could without any excuse except that he was an American, catch him on the street, and put him in jail, and the next morning they would shave his head just as clean as they could get it, and if he had any money, they would take it and turn him loose. There was one man, a young man that I knew, standing on the corner waiting for a friend and two policemen came along and said, "What are you doing?" He said, "I am waiting for a friend." They said, "No, you are drunk." He said, "I do not drink." And I knew he didn't, they said, "You are drunk." And they took him down to the jail and the next morning they shaved his head and turned him loose. He was a British subject and he complained at once to the British consul at Manzanillo, and there was never another head shaved. They notified Gov. Canales at Culiacan and the thing was stopped right there, there never was another head shaved at all.

Senator SMITH. Then your observation was that the only chance for an American's protection at that time was through the British consul?

Dr. HUNTER. Yes, sir; a number of Americans claimed to be British to get protection. They told the Mexicans they were British, and it was all right then.

Senator SMITH. What became of that American flag that was at the consulate there; do you know?

Dr. HUNTER. I do not know what became of that flag; but I know what became of one I saw along the railroad. Now, we will get you to Manzanillo. When we got on the train we started out to go from Guadalajara to Manzanillo; there were a lot of soldiers on the train, and I noticed a lot of officers talking to each passenger

down in the front of the car I was sitting in. I thought nothing of it. I thought they were looking at the tickets or passes or something of the sort, and when he came to me he told me that they were ordered by the governor, for our protection, to take up whatever we had—whatever silver money we had, or arms, or anything of the kind—and they would give us a receipt for that and give them back to us when we got to Manzanillo. Well, I had a nice little Smith & Wesson pistol and scabbard and belt, and I gave it to him, and I gave him what silver money I had—Mexican money—and he said, "I am out of a receipt; I will bring you one in a minute." That was the last I saw of him, except on the train, except when the train stopped there were a lot of automobiles waiting for them, and they got into these automobiles and went back to Guadalajara and left us without money or protection in any way, and the first town they stopped at was Zacoalco.

Senator SMITH. Who was doing this?

Dr. HUNTER. Those were Huerta's soldiers.

Senator SMITH. Do you know of any connection of Obregon with that, at all?

Dr. HUNTER. No, sir; I do not. When we stopped at this station of Zacoalco there was an immense, howling mob there, crying, "Kill the Gringos; dynamite the train; don't let one get away"—all that sort of thing, whooping and cursing us for everything that was vile and dirty, and they had a big American flag, and they waved that up and down, and threw it down and trampled over it and yelled and cursed it, and finally they ripped it up in strips and put matches to it and burned it, and threw the ashes in the windows at us. They threw in sticks and mud and dirt; nearly every one of us got mud on them. I was sitting at a window, and a fellow threw a little stick with a Mexican flag on it like a dart—threw it right at my face—and I dodged and it went right by my side.

Senator SMITH. Who is Mr. Will B. Davis?

Dr. HUNTER. That was the American consul—he was on that train.

Senator SMITH. And Mr. Crawford, also?

Dr. HUNTER. Mr. Crawford was on that train.

Senator SMITH. Where does Mr. Davis live now?

Dr. HUNTER. He came to some point in Texas; I tried to find out, but I do not know.

Senator SMITH. What about Mr. Hunt? Do you know a man by the name of Hunt?

Dr. HUNTER. Very well—he was a land dealer in Culiacan.

Senator SMITH. Did he suffer any indignities that you know of?

Dr. HUNTER. Not that I know of.

Senator SMITH. He lived at El Paso, I believe.

Dr. HUNTER. I think he lived at El Paso; but when we got to Colima we were held up there till near morning. It was only 25 miles to Manzanillo, but the train was held up there, for what purpose I do not know. I know the British consul came there and told us all to be calm and not to be uneasy; that he was doing everything to protect us that he possibly could; that the Government had promised that we should be protected. Before morning they pulled out and took us down to Manzanillo. When we got down there I got out of the train with a couple of valises and got two little boys to take

them down, and a soldier walked up and kicked them and told them to drop the valises, and I had to carry them myself. When we got down to the wharf they put the men in a room that was part out over the dirt and the other part over the water; they let the women go aboard the ship *Maria*, a German steamship. They let us stay there until 3 o'clock before they would let us go aboard the ship. I was told that they had dynamite under the room and they were going to blow us up if any American ship came up in the harbor.

Senator SMITH. Where was this German ship bound?

Dr. HUNTER. That German ship had come in there with over 200 Chinese men, and they would not let them land, and the German captain of the boat said in order to protect us to come aboard; that he would take us to California; that he didn't know whether he had enough for us to eat or not, but he would do the best he could. He took us all aboard and put us on two meals a day, at half rations. He put the Chinese in the aft hold—it was an old freight ship—and gave us the under deck in front. There was a young man on that boat that had gotten there the day before.

The Americans from the ranches had gotten there before. They formed a procession of all these Americans; they took Wilson's picture out of the consulate and painted long black horns on it; they took the American flag and made the Americans follow this flag and picture around, singing, joking, and cursing the Americans; they threw that down and made them walk over them and burned them up and threw the ashes over their heads. This young man was on that ship, and they sent word to him—I don't know what for; some Mexicans had a grudge against him—and they sent word to him that somebody had sent him some money by telegraph, and to come over and get it; and he told them to tell them if anybody had sent him any money they could have it; he didn't want it. They sent over some soldiers to take him off the boat and take him over. The American consul, both of them—Dr. Davis and Mr. Stratton, at that time consul at Manzanillo—knew the man, and they knew he was all right, and they told them so, but they would not listen. There was a young man there, a German, who had been a bookkeeper at one of the mines that I was a physician to; I knew him very well, and he told them that he was a German consul; he said, "I am acting consul, and I demand in the name of my country that you liberate that man." He said, "You have got the United States down on you now; you are at war with the United States; do you want to go to war with my country now?" He said, "I demand that you liberate that man," and they turned him loose and he got back to the ship and came on with us.

Senator SMITH. Do you know anything about the kidnapping of Mr. Baird?

Dr. HUNTER. Yes, sir.

Senator SMITH. What about it?

Dr. HUNTER. He was at the mine that I was physician at. I was always physician of three or four mines, and that was one I was going to twice a week. There came a crowd to his house one night and knocked at the door, and he said, "What do you want?" And they said, "We want some medicine for a sick man." He was accustomed to giving them a little medicine himself that way. He opened

the door, and there were a lot of rifles at his face. He slammed the door and ran back to the telephone by the window and grabbed the telephone, and a gun stuck through the window and said, "Drop that or we will kill you." He said, "We are not going to hurt you; we came here to get your guns and ammunition. Open the door; we will take it and not hurt you." He opened the door, and they took his rifle and shotgun and the ammunition, and he complained about it to the fellow who was really the boss of the gang himself who was talking, and he told him the "jefe" of the gang was down on the Santiago River; he said, "Come on and go with us down there, and he may give them back to you." He said, "All right," and he started out with them, and he did not go 20 feet from the house before two men grabbed him and they searched him and took a pistol out of his coat pocket and took his money and told him to write a note back to the bookkeeper to send them a thousand dollars or they would kill him. And he wrote in English to send \$500—maybe they would take that, or they could increase the amount. Well, they became frightened in the meantime and took him in a boat and carried him across the river on back to a little Indian village halfway up the hill. When the money got there they were gone, and there was a Mexican there about half drunk, and he said, "I will take it to them." They gave him the money, and he carried it, and Mr. Baird got back about 1 o'clock in the morning. Del Toro, this man at Hostotipaquilla, the Huerta officer, was notified as soon as possible after the thing occurred and asked to pursue them promptly, and he said he would do it. Three days after Mr. Baird had been in his house here came Del Toro with 50 soldiers—in hot pursuit. He came to El Favor mine and came on down to La Espada mine, where I was, and took dinner and stayed there that night, and next day he went down to the Santiago River and stayed there that night, and the next morning came back to Hostotipaquilla and sent a telegram to the governor, which I have a copy of here, stating that he had restored Mr. Baird safely to his home and had annihilated the band.

Senator SMITH. That was a report made to the governor?

Dr. HUNTER. Yes, sir; that was Gen. del Toro, and he made that report himself.

Senator SMITH. He was for Huerta?

Dr. HUNTER. Gen. del Toro was a Huertista.

Senator SMITH. Who were those who were doing the outrages?

Dr. HUNTER. They were claimed to be Villistas. All the depredations that were committed around there that I know of, were committed by Villistas.

Senator SMITH. Do you know the case of Mr. Harrison?

Dr. HUNTER. Yes, sir.

Senator SMITH. What were the facts as to that?

Dr. HUNTER. We were notified one evening that 17 men had sacked his mine and that he had taken refuge in the tunnel and was hid in there. Two of us from the El Favor mine and two from La Espada and two from another mine down the river tried to rescue him and we rode all night to try to get there before day to surround the town before daylight, and we got there just at daylight, and we surrounded the town and rushed in there with our rifles ready—there were just a few houses in there, just a little

town, and we rode into the center ready to shoot these fellows, but they were gone. That underground telegraph that they have in Mexico beats everything I ever heard of in my life; they always know everything, and we saw them going up the mountain on the other side of the big gulch. We rescued Mr. Harrison and took him back to the La Espada Mine and then sent him to Guadalajara. That night the two young men, Richards and Kaiser, started down the river and went down, and they were met by a lot of women who asked them not for God's sake to go down there, there are a lot of bandits in your house now. They went around this house, but before they got to where they could do any shooting or see them, they got wind of it in some way and they rushed out of the house, and they divided when they got out in such a hurry, and some went up one side of the mountain and some the other, and it was a bright moonlight night, and they opened fire, and fired and fired, and nobody was hurt at all. The next morning they sent word to these boys that they had only got \$20, and they wanted 200, to send it to them, and they sent them word that if they wanted anything down there, they would have to come get it, but they never came.

Senator SMITH. Who was that went down to the rescue of Mr. Baird?

Dr. HUNTER. Who was with me?

Senator SMITH. Yes: the rescue of Mr. Harrison, I mean.

Dr. HUNTER. Mr. Richards and Kaiser and Mr. Nelson and Mr. Holmes and Mr. Kelley and myself. This was a brother of the British consul.

Senator SMITH. Of the British consul?

Dr. HUNTER. On a visit to this mine at this time. That telegram of del Toro's is so characteristic of the Mexican that it was no surprise to me at all. I spent 10 years in Mexico, nearly 10 years, and I think I know them pretty well, and I have yet to see the first living Mexican—I know Carranza, too, and from him down to the veriest peon on a backwoods ranch, I have yet to see the very first one whose oath I would accept.

Senator SMITH. Do you know anything about the attack on that mine down there near Ameca?

Dr. HUNTER. Near Ameca?

Senator SMITH. Yes, sir.

Dr. HUNTER. Well, there is a number of attacks that I do not know personally of, but this one where Mr. Foster——

Senator SMITH. Foster; yes?

Dr. HUNTER. Yes. I can not think of the name of the other man, the two of them were at the mine by themselves, and a road ran right in front of the house like this, and went down that way down into the gulch, and the Mexican passed by and he said, "Ya vienen los bandidos"—that is "Here come the bandits"—and they got their guns quickly and got right up to the windows, and as they made a turn they called to them to halt, and as they did not stop—they called to them in English, and I suppose they did not understand it—they did not stop, and they opened fire on them and they ran away, and after that one of them was shot with buckshot from a shotgun through the side. After that he was down in a little hut down the mountain there, and one of his intimate friends called on him, and



as he was in bed helpless he took a machete and chopped him to pieces.

Senator SMITH. These depredations that you speak of were all by the Villistas?

Dr. HUNTER. Yes, sir.

Senator SMITH. Do you know anything about the attempted assassination of Mr. Villamin?

Dr. HUNTER. Yes, sir. He told me about it himself. He had been into Ameca and he went back to his mine, and when he got near the house he was passing through a gate and he got down to tighten his saddle, and he had a "mozo" with him, as they call them there, a valet, and when he got down to tighten his saddle he was fired upon by a number of shots; he did not know how many; many of them; and his mule fell dead and he rolled down a little, and he ran down to get his rifle from the mule, and when he got down on the ground upon the mule to get his rifle and while he was getting his rifle they thought he was killed, I guess, and he was one of the best shots in the country, and he took out his rifle and fired at them, and he saw that the bullet hit about 10 or 20 feet away from the fellow, and he said he could not account for it, and he tried to put another bullet in and he could not; it had been bent. Then he went down to his house. That night they tried to dynamite his house; they would tie it to a big rock and roll it down there, but it didn't strike the house.

Senator SMITH. Did you know anything about or do you know anything about the sufferings undergone by Miss Flores and her abduction?

Dr. HUNTER. Not personally, but I was there in Ayutla when Flores took his wife and daughter into Guadalajara for protection, and while I was there they concluded it was a little safer, and he took them back home, and as soon as they went back home there came along a band and robbed the town and took her off to the mountains. She was one of the nicest girls I ever saw.

Senator SMITH. Do you know what became of her afterwards?

Dr. HUNTER. No, sir; I do not know; I did not see her afterwards. They would take them that way and keep them for a week or two until they got tired of them, and then turn them loose.

Senator SMITH. Do you know anything about the killing of the former manager of the El Favor mine?

Dr. HUNTER. Not personally; but it was an undoubted fact that he went down into the quarters on hearing a shot fired and he asked who did the shooting and they told him that this—this man said he did it. "Well," he said, "you do not belong here; you are drunk; I do not want you on this place again and I want you to get out of here," and he took him by the coat and pushed him out the door and gave him a kick, and as he kicked him a bullet went through his head and he fell on the ground, and as he fell a Mexican chopped his head with a machete, and one went up the hill and one went down the hill. I wish you would ask is Mr. John Mathews in the house.

Mr. JACKSON. Mr. John Mathews.

(There was no response to the calling of his name by Mr. Mathews.)

Dr. HUNTER. He saw this and he came down the hill and he got his rifle and he saw a man hiding in a bunch of bushes, and he was also a crack shot, and that Mexican laid down and he hired these

soldiers—they always had a few soldiers stationed at every mine—and he bribed these soldiers to say that they killed him, and that ended it. The man that killed him got away. They always pretend to pursue, but they never do anything with one of them. I have never known of a man being punished for murder in Mexico in my life. There was a Mexican killed a young man from Texas named Brackenridge, at Ayutla. This Mexican and the American were courting Flores, and that night at the dance this young fellow Brackenridge said to the Mexican—I believe his name is Gave—he said, “Let’s go out and fight it out and the one that is left will have the girl.” He said, “All right,” and the American walked out the door and the Mexican behind him, and as soon as the American stepped on the sidewalk the Mexican plugged him through the body with a bullet and he died two or three days afterwards. Well, that fellow was arrested and put in jail and tried and convicted and sentenced to six years and he was sent up to the penitentiary at Guadalajara, and in six months he was at his home.

Senator SMITH. Do you know anything about the case of Mr. Gates?

Dr. HUNTER. Well, I know him well. Mr. Gates was largely interested in the Carrizo mine, and after everybody had been forced to run out and abandon the mine, he went back out there himself to protect it, and he stayed there by himself, a two-story house with a piazza above and below, and one afternoon he was sitting on his piazza reading, and he heard the bullets whistling around him. He looked out and saw seven Mexicans shooting at him, and he went in the room and brought out his 30.30, and he only had three cartridges, and he shot one off the horse with one and killed the horse with the next, and the other he did not know where it hit. He telephoned over to Sebastian to send men to pursue them, and they sent men over to pursue them, and they found one man almost dead, yet sitting on his horse: he was almost dead, with a bullet through his breast, and they took him and swung him up and left him full of bullets hanging there.

Senator SMITH. How long did these general outrages of which you have been speaking—this conduct, how long did it exist in that community and among those mines which you spoke of, how long was that going on?

Dr. HUNTER. I think about three years, more or less. It commenced soon after the Madero revolution.

Senator SMITH. And kept up until when?

Dr. HUNTER. It kept up until I left, and I came out on that ship *Maria* in 1914.

Senator SMITH. 1914.

Dr. HUNTER. It was going on then; yes; I do not know of a single ranch they had not been robbing and murder committed at and rape and burning and arson and everything of the kind, and every ranch that I knew of nearly had been robbed.

Senator SMITH. Well, did they confine themselves to the Americans alone or to the Mexicans against whom they had any feeling?

Dr. HUNTER. They were just out for pilf, out for robbery; it was easier than to work.

Senator SMITH. What effort was made to prevent that condition by the Government?

Dr. HUNTER. Well, just about the effort that Del Toro made against those bandits.

Senator SMITH. So you had no security?

Dr. HUNTER. Absolutely no security for anybody; it was not then and it is not now; there is no safety for life or property in Mexico.

Senator SMITH. Do you know of the paymaster being killed there near Culiacan?

Dr. HUNTER. I heard of it only. I know it is a fact, but I did not see it. Now, the day that del Toro—I will tell you this and give you a more clear idea of the prejudice that exists in Mexico to the Americans. There is a deep-dyed hatred that can never be eradicated from the class that exists there now. Old Gen. del Toro the day I went to leave, he took my hands and he took them both in each of his, and he said, "Doctor, I want to ask you a favor." I said, "All right, General, what is it?" He said, "If not for my sake, for God's sake quit riding around this country here by yourself. There are hundreds of men every day on that road that will kill you the first chance they get, if for nothing more than to say, 'I killed a gringo who was not afraid to ride around.'"

Senator SMITH. That, you say, is the feeling that exists yet?

Dr. HUNTER. All over Mexico; yes, sir.

Senator SMITH. I have here a purported list of the passengers that came out. Can you identify that list, or do you know [handing paper to witness]?

Dr. HUNTER. Yes, sir; I have a copy of it right here in my pocket; yes; that is all right.

Senator SMITH. How many in that list do you know; have you counted them?

Dr. HUNTER. Well, it is figured up here, 245.

Senator SMITH. They were passengers, you say, that came out?

Dr. HUNTER. They were the crowd that came out penniless on that steamship *Maria* from Manzanillo.

Senator SMITH. All right, that will do.

Dr. HUNTER. I would like to add this, that I overlooked. At the time these bandits were in the mine, Mr. Hoadly and Mr. Williams went down the other gulch to pursue the bandits, and when they got down under the gulch the men who were employed on the mines shot them down there, and the bandits came back and chopped them all up with machetes, and went up the other way and left.

(The list of passengers on the steamer *Maria* identified by Dr. Hunter, was thereupon read into the record, and is as follows:)

LIST OF PASSENGERS ON GERMAN STEAMER "MARIE" FROM MANZANILLO.

[Many of these persons might be located through the Hotel Cosmopolita, Guadalajara, Mex.—J. H.]

J. W. Overton.  
J. H. Gaff.  
W. G. Herberling.  
C. S. Winther.  
P. W. Pickford.  
Wm. McKinna.  
J. E. Barron.  
C. A. Keller and wife.  
John Black.  
A. H. Jones and wife.

C. T. Berna.  
R. H. Leaderly.  
A. C. Strauss.  
James Seaman.  
P. C. Davis.  
W. E. Pomeroy.  
Mile Farrell, wife and four children.  
W. D. Geddes.  
E. Esmerld, a Cuban.  
J. Schmidt.

Mrs. A. Kij, and three children, Columbian family.  
 A. Stoll and wife, German, not refugees.  
 F. H. Simpson.  
 W. H. Simpson.  
 R. M. Stadden, American consul, wife, and two children, Manzanillo, Mex.  
 E. F. Pourarde, wife, and two children, lately of Colima, Colima, Mex.  
 Miss Noma Geist, Guadalajara.  
 Mrs. J. D. Gonzalez, and two children.  
 T. J. Boyd, wife, and five children.  
 T. C. Link, wife, and one child.  
 Jesus Miranda.  
 Jas. Campbell.  
 J. W. Wiley.  
 Mike Minnehan.  
 S. R. M. Jones.  
 W. H. Martin.  
 J. Thomas.  
 Earnest Fuchs and two children.  
 Mrs. Ida C. Bahl.  
 Will Bahl.  
 W. J. Reed.  
 F. H. Ferris.  
 Dr. S. J. Fuller, Guadalajara.  
 D. M. Pyle.  
 Dr. William B. Davis, American consul Guadalajara.  
 Mrs. N. F. Davis.  
 C. S. Russell, wife, and 2 children.  
 E. M. Browder.  
 J. A. Ocheltree.  
 T. C. Miles.  
 H. R. Cornforth, druggist, Guadalajara.  
 W. H. Makay.  
 Dr. John Hunter.  
 W. J. Erkenbeck, Guadalajara.  
 R. N. Lane, wife, and 4 children, Guadalajara.  
 S. B. Mosby.  
 A. H. Brewer, wife, and 2 children.  
 W. H. Hoeing.  
 Dr. G. R. Gleason, Guadalajara.  
 G. W. Woodyard.  
 Edith Teuchs.  
 R. J. Williams.  
 A. C. Brady and wife, Guadalajara.  
 C. H. Ott.  
 W. J. Casey.  
 H. Pootman and wife.  
 Mr. and Mrs. R. S. Burdette and 1 child, Guadalajara.  
 A. R. Downs, Guadalajara.  
 L. C. Preston and wife, Guadalajara.  
 J. M. Gonzales, wife, and 2 children.  
 Mrs. Charlotte Burdette.  
 H. D. Aves, wife, and child.  
 Miss Mattie C. Peters.  
 N. W. Kinrose.  
 J. W. Gibson, Guadalajara.  
 F. B. De Gress.  
 Ira Nice.  
 Mrs. Mary Martin and daughter.  
 Miss Terez Marin.

Mr. L. C. Hanna.  
 Louis J. Harrison, wife, and 3 children.  
 Mrs. F. Smith.  
 Henry Grank.  
 Joseph B. Morris.  
 Charles Burbank.  
 Tom Green and wife.  
 Dane Henderson.  
 Tom Johnson.  
 L. H. Tracy.  
 H. G. Sawyer.  
 Miss Josephine Murphy.  
 C. H. Draper.  
 E. P. Sheldon.  
 Steward Blackleg and wife.  
 William French.  
 Mrs. French.  
 Dr. J. H. Spence, Guadalajara.  
 W. B. Arrington, wife, and three children, Guadalajara.  
 Dr. W. L. Kline, wife, and two children, Guadalajara.  
 Miss Lola Smith.  
 Dr. J. W. Erkenbeck, wife, and three children, Ameca, Jalisco, Mexico.  
 Miss Alice Gleason, Guadalajara.  
 Walter J. Pentland, wife, and two children, manager mine near Guadalajara.  
 H. L. Percy.  
 Otto Kraft, wife, and one child.  
 Louis B. Fritz and wife.  
 J. C. Galbraith, wife, and three children.  
 S. S. Gates, lived awhile in Ameca, Jalisco, Mexico.  
 F. L. Thompson.  
 C. P. Adams.  
 Dr. W. J. Riggins.  
 Joe J. Riggins.  
 Henry Oneal, wife, and one child.  
 George Prunel, Guadalajara.  
 E. R. Downs, wife, and one child, Guadalajara.  
 H. E. Crawford, manager, and wife, Cinco Minas, Guadalajara. Find this man if possible.  
 J. H. Kipp, wife, and two children, Guadalajara. This is a man whose life I think I saved.  
 L. B. Coutler.  
 Charles Mills and wife.  
 F. W. Schu.  
 J. Geddis.  
 H. Sutterbere, wife, and two children.  
 Nell Trumbell, Ameca, Jalisco, Mexico.  
 A. W. Earnest, Guadalajara.  
 C. Coruthers, wife, and seven children, Guadalajara.  
 Scott Wallace. (Since killed by Mexicans near Guadalajara. He was a conductor for the Southern Pacific Railroad. I heard the other day he had gone back and was killed.)  
 W. J. Kyle.

W. B. Budrow, wife, and three children.  
 J. A. Small.  
 R. Castanada, wife and child.  
 W. J. Slattery, Ameca, Jal., Mex.  
 L. C. Groce, wife and two children.  
 Ameca, Jal., Mex. (Then went to Laredo.)  
 J. W. Griffin.

D. Garus, wife and two children.  
 Mrs. Carlos Davis and daughter.  
 Grace White.  
 S. E. Gherzi (Italian).  
 John Wentellero and wife (Italian).  
 Oetano Weubertto.  
 Eugenio Ballicendo.  
 Chas. Newsome.

Senator SMITH. The committee will stand adjourned until about 2.30 this afternoon.

(Thereupon at 12.10 o'clock p. m. the committee recessed until 2.30 o'clock of the same day.)

MONDAY, JANUARY 19, 1920.

2.30 o'clock p. m.

### TESTIMONY OF J. G. WARD.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

Mr. JACKSON. What is your name?

Mr. WARD. J. G. Ward.

Senator SMITH. Where were you born, Mr. Ward?

Mr. WARD. Born in Red River County, northeast Texas.

Senator SMITH. You are a citizen of the United States?

Mr. WARD. Yes, sir.

Senator SMITH. When did you go to Mexico, if you went?

Mr. WARD. I went the first time in 1912.

Senator SMITH. Where did you go to?

Mr. WARD. Colonia, Mexico.

Senator SMITH. How many Americans were there, or, foreigners were there?

Mr. WARD. There was something like 15 families, I don't know exactly, but something like that many.

Senator SMITH. What happened to those 15 families of yours down there at the time of which you first spoke? What year was it?

Mr. WARD. Well, it was—what do you mean, which year this trouble happened—anything down there?

Senator SMITH. Yes.

Mr. WARD. Well, it was about 1915 before any trouble happened to amount to anything.

Senator SMITH. Please detail to the committee what occurred there, without my asking you specific questions.

Mr. WARD. Well, the first case I know of was two Germans—well, one of them was an American citizen; he is a German by birth—there were two Germans robbed; one of them was hung up and robbed of something like \$1,600.

Senator SMITH. What was his name?

Mr. WARD. Ernest Heckle and Philip Rapp.

Mr. JACKSON. How do you spell "Heckle"?

Mr. WARD. I don't know, Judge—he was a German.

Senator SMITH. Where were they when robbed; what was the circumstances under which one was robbed; was he the American citizen?

Mr. WARD. Yes, sir; they were robbed at night and he never did know who done that, because these fellows that robbed them came across the river—that way we could tell; we tracked them to the river and after that we never could hear of them, or track, or anything.

Senator SMITH. What river?

Mr. WARD. It was the Panuco—I think it was.

Senator SMITH. What was done with the other German, if anything?

Mr. WARD. Well, he was not hung up—I don't think—but he was robbed of some amount of money; I don't know just what it was. That's all the robbing they done in there that night; we don't know whether they were soldiers or not.

Senator SMITH. That was Mr. Heckel and Mr. Rapp?

Mr. WARD. Yes, sir. Well, my first experience was they stole a horse from me. I didn't have any trouble until, well, it was about the first of 1916; just about January. Well, they stole a horse between the times, and one evening there were a couple of fellows came in there and stole two horses. I was gone, and when I came back home some of the boys told me they saw these fellows take the horses off, so I got on the train and went to Tampico to head them off; and I got me an American boy friend of mine there to go down the railroad on horseback, and so he overtook them coming, and got the horses back. I don't know how; he just said he bluffed them and he got them back. And then in a few weeks I saw this same fellow. I caught him in my orchard grove; I had 15 acres. I went down there and talked to him and told him there wasn't any use of him stealing fruit, if he wanted any I would give it to him; it made the other Mexicans want to steal too. He had papers to search our house for guns. He came up and searched our house. I didn't refuse him; I didn't care. He didn't find anything but a shotgun; that didn't bother anything; I was allowed to keep a shotgun. He searched the house all over, and went on off. That was on Sunday, and on Thursday night he came back about 9 o'clock; I didn't go to bed, I was reading, so he wanted me to come out there. I asked him what he wanted, and he said he just wanted to talk to me, so I went and told my wife to bring the light and I would go out on the porch and see what he wanted, and when she brought the light to the door that threw the light on him, and as I went out I picked up my shotgun. He asked me what I was doing with my shotgun and I told him that I thought it was my place and I had a right to protect it, a stranger coming that time of night, and war times and things torn up like they were. Of course that made him mad. We could see the fire off of some of the cigarettes of some more parties down the road a little piece.

Finally I told him to come in, and he started in and got to the line fence, through one of the line fences, and he got to this other fence and I told him he would as well go back, I would rather talk to him in the day time, I wouldn't be doing anything the next morning, for him just to come back. So he didn't say a word, but went on back, got on his horse, and rode on down the road. We went back in the house; there was something like four or five shots fired; I don't know just how many, but there was only one shot hit

the house that night; hit the roof. They got some fruit, we could tell that; we could hear them down there in the orchard talking. They went on off. That was on Thursday night. Then the coming Monday morning about 2 or 2.30 I heard some talking down in the orchard, and the dog barking—

Senator SMITH. What night was this?

Mr. WARD. Sir?

Senator SMITH. What night are you speaking of now?

Mr. WARD. I am talking about Monday night.

Senator SMITH. On Thursday night was there any shooting?

Mr. WARD. Yes, sir; that was the first time they came. On Monday morning about 2.30 is when they brought this bunch back; they all came piling upon the porch and hollered; the first thing they said—one fellow could speak a little English—and they said, "Come out of there, boy," and they just rushed up against the door and tried to get in, and I wouldn't let them in, kept talking to them. I asked them what they wanted and about all they would say was they wanted in, wanted some money. I worried with them; they kept trying to break in a door. I finally told them if I would give them some money would they go away and leave me alone, and they said they would, so the door wasn't tight, I could get it down from the top a little bit without unlatching it, and I gave them thirty or forty dollars which was there, I didn't know how much. Well, that made them much madder I reckon, because we didn't get the door open. They kept charging against the door, the screen door; broke it all to pieces. I finally told them would they, if I gave them my purse and all the money that was in it, would they go away and leave me alone. I finally gave it to them; they got it the same way; they struck a match and I could tell they were looking at the money. They came back against the door, madder than ever, and during all the time one of them would be working the guns, throwing shells out, and hammer on the house.

I finally told them; I seen I wasn't going to get rid of them that way; I made up my mind to let them in. I told him that if he would send his men all back to the fence I would let him in; you see there was one party doing nearly all of the talking; once in a while another one talking. So we could hear these parties walking off the edge of the porch; then they would tiptoe back, and I just made up my mind then there was something awfully crooked about it, so I just went over to where my wife was; well, I had told her to get under the bed, because she being on top of the bed she would be in line of the shooting; if you are lying on the floor you are not in much danger. I went over there and told her I might as well have it out with them; they wasn't going to leave us alone until I did, and no telling what they would do if they got in, because I knew how they had been treating these Germans. I told them to wait a minute until I got my clothes; that was after I told them they could get in. They was pounding on the doors, and I just unlatched the door, and one started in; just stepped in front of the door, and I had done prepared to fight it out with them, so I just shot him and he just fell backward and screamed. When I made this shot I just stepped on the outside of the door. One started to run, and I shot him, and he fell, and there was a stray shot I made. I shot a sack of oranges. I seen the

bulk of it, and I shot it, and then I went in and laid down back of the door. I left the door open, but it was dark on the inside. I lay there a few minutes and I heard a fellow shooting right in front of the door, and I finally got up and looked out. I could see just this much of a man's hand sticking out shooting with a six-shooter. I let him shoot a few shots and I managed to get a shot at him, and there wasn't any more shooting right around the house; all the rest of the shooting was a distance, shots back, so my wife stayed there just a few minutes until the shooting ceased. I told my wife we just as well go down to the barn, because they might get a bunch and come back and dynamite the house or to shoot it all to pieces. So we went down to the barn and stayed under the barn the rest of the night. The next morning when we came back to the house this fellow was still on the porch; he was the only fellow I seen there; he was the fellow that had stole my horse and had searched the house. He was supposed to be a Carranza officer, a corporal; that's what he was; he was a Carranza corporal and had these papers to search my house. I don't know; I didn't see but three men, but this nigger claimed there was eight of them.

Senator SMITH. What negro?

Mr. WARD. You see, they robbed a nigger just before they robbed me; just came from his house right over to mine. They beat the man, bruised him up with the guns; I seen where they punched him around; I could see the places on him the next morning where they had punched him around with the guns. They got all the guns he had; I don't know whether they got any money or not, but they got all the money and valuable things; they even got little bits of things, and thread, family pictures, the like of that, and a lot of clothes. He came over there the next morning, and he said this fellow on the porch, he knew him; he said he was the leader of the bunch.

Senator SMITH. Is he the man that had taken your horses?

Mr. WARD. Yes, sir.

Senator SMITH. That the boy had recovered from him?

Mr. WARD. Yes, sir.

Senator SMITH. He is the same man that was at your house those two times that you speak of?

Mr. WARD. Yes, sir.

Senator SMITH. How far did this negro live from you?

Mr. WARD. About half a mile.

Senator SMITH. What other depredations, if any, if you know, were committed against the family of that negro?

Mr. WARD. This nigger, his wife, I heard they both was, the next morning they mistreated him and they had also mistreated his wife two or three times.

Senator SMITH. You mean they ravished her?

Mr. WARD. Yes, sir.

Senator SMITH. What was his name, do you remember?

Mr. WARD. I don't just remember; I was just trying to think of that fellow's name, because he hadn't been there but a short time, and I never did have much dealings with him. I knew him at the time, all right.

Senator SMITH. Do you know what his nationality was? I don't means as to blood, but where did he come from?



Mr. WARD. He came from the United States, because hadn't been there but just a short time; he came from up here. There was a wealthy negro went down there and bought this property and stayed there awhile, then he got some of his poor friends to go down there; and that is how it was; I don't know his name.

Senator SMITH. Now, after this had occurred at the negro's house and they had come to your house as you have described and you did the shooting as you have described it, what else, if anything, happened to you in the matter and the balance of those people living up there—you American people?

Mr. WARD. Well, there hadn't nothing happened at that time; we hadn't had any trouble at all. Of course, they would take some corn. Altogether I think I lost 4 or 5 acres of corn that was in the shock. The Huerta men started to get it, then the Carranza men finished it up. You see, the Huerta men came out there and camped. That was after the first battle in Tampico. Huerta came out there; his bunch came out there and camped at Colonia two or three days, and during the time they taken this stuff, this corn, and we never had no serious trouble with them. Well, the next day or two the Carranza people came in there and ran them back; then they finished the corn.

Senator SMITH. What became of that colony near down there?

Mr. WARD. I don't know of anyone there now except these two German families.

Senator SMITH. Do you know how they are getting along?

Mr. WARD. I have heard from them several times; they seem to be getting along all right; I mean they haven't had any real serious trouble; they claim they take stuff away from them; they have been robbed of their household furniture, too, since that.

Senator SMITH. You finally came out?

Mr. WARD. Yes, sir; after this trouble I went to the American consul, and he advised me to come out and stay out six months or a year, and so I hid out over across the lake 10 days until I caught an oil boat, and I got on an oil boat and came out, and I have not been back since.

Senator SMITH. Where did you land?

Mr. WARD. In Texas City.

Senator SMITH. That is all; much obliged.

#### TESTIMONY OF DR. ODIA M. JACKS.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

Senator SMITH. What is your name?

Dr. JACKS. Dr. Odia M. Jacks.

Senator SMITH. Where were you born?

Dr. JACKS. I was born in east Tennessee, in the old Cherokee Nation.

Senator SMITH. Where did you live before—did you ever go to Mexico?

Dr. JACKS. Yes, sir.

Senator SMITH. Where did you live in the United States just before going to Mexico?

Dr. JACKS. I lived at Fort Worth and owned a farm out on Bear Creek, out of Fort Worth, right opposite Smithville.

Senator SMITH. You went from there to Texas?

Dr. JACKS. From there to Mexico.

Senator SMITH. I mean, from there to Mexico?

Dr. JACKS. Yes, sir.

Senator SMITH. When?

Dr. JACKS. In '95.

Senator SMITH. In '95?

Dr. JACKS. Yes, sir 1905—I will get it right directly—in 1905.

Senator SMITH. Who was then President?

Dr. JACKS. How is that? Who was President of Mexico?

Senator SMITH. Yes.

Dr. JACKS. Diaz.

Senator SMITH. How long did you live there—from 1905 all during that time up until the revolution?

Dr. JACKS. I was there from that time up until a year ago last August. I came out two or three times when we were told to come out, but would always go back again.

Senator SMITH. What was your experience down there as to the loss of property, if you had it—what property you had and when it was lost, how, and who did it—who took it?

Dr. JACKS. Well, it would take a mighty long time to tell my experience. I practiced in the army there for pretty near three years, nearly straight, and my experiences are very wide. I had a written copy of my trouble, with everything I had burned out in February a year ago, and everything I had in the world was burned, with the exception of what I had on my back.

Senator SMITH. Was that at your place in Mexico then?

Dr. JACKS. No, sir. I had come out then. That was here at Pine Bluff, Ark.: that is where I am from now.

Senator SMITH. Your family is there?

Dr. JACKS. My family is there; yes, sir.

Senator SMITH. Now, what losses did you sustain there, or those colonists—was there a colony up there?

Dr. JACKS. Yes, sir; I was in the Blalock colony at the time Mr. Blalock was present at that time.

Senator SMITH. Then you know something about the killing of Mr. Gorham and Mr. Pilgrim?

Dr. JACKS. Well, I only know of Mr. Gorham through his son; he is the agent for my property there now; he wrote me about it, how he was killed, etc., and that is all; I meant to bring the letter with me, but my wife and daughter were in the country—15 miles in the country, and are there now—and I hadn't time to get it. Now, in regard to Mr. Pilgrim's killing, I held the inquest over his body, with a Mexican juror, and my memory is very clear even to now in regard to that.

Senator SMITH. Well, what about it; what did the inquest show?

Dr. JACKS. Well, he was murdered on a little creek there that we call Rock Creek—or Mud Creek—and he had went hunting for to see if he couldn't kill a deer; it was during a dry spell of weather, and the deer would have a certain place, where they had the water at; and he went down to get him a deer, and he was shot, and shot from the back—just one bullet; it penetrated him, and it seemed to have been a dead shot; he didn't seem to have struggled a particle.

Senator SMITH. Was anything done about it? Tell any other facts.

Dr. JACKS. Why, there hadn't been any—the body, through Mr. Humphrey, had been partially examined before they got me there: the Mexican court sent word for the Mexicans to take me over there and hold the inquest; that was how came me to go there—it was in closer to Mr. Humphrey and Mr. Hitt, and they had been to the body before I got there, but when I got there the body had not been moved, no more than they had partially turned it to look at it; but they didn't understand it, even the wound or anything of the kind when I got to the body, so when I got there I turned the body about—it was badly decomposed—it was a bad old turn; he had been lying there several days; it was warm weather, and he was bloated very badly; and I found he was shot, I think, through the left shoulder blade and ranged and come out like that [illustrating], seemed to have penetrated—

Mr. JACKSON. Near the right nipple?

Dr. JACKS. Yes, sir; I think now it was very near the shoulder blade and came out from the front—

Senator SMITH. From the front?

Dr. JACKS. From the front, he was shot behind.

Senator SMITH. Was there any evidence showing who committed that crime?

Dr. JACKS. Well, we were pretty certain who did it, but no effort was made to try to catch anybody at all; they made a bluff of holding a little court, I had to go before it. I was alone—and afterwards Mr. Humphrey and a couple of women—the women, if they could have examined them, they knew exactly who killed him, they knew all about it, but they wouldn't let them be examined at all. I think, during the time, I think Mr. Humphrey liked to have lost his life; one of the officers offered to shoot him because he had interfered with some violence that they were doing upon one—upon the women, and one of the women seemed to have been Mr. Humphrey's cook or housekeeper, something of that kind, and knew of the trouble and knew who killed him and all about it, but he never would let them in, wouldn't examine them at all; and after this everything was simply squashed, they never did anything more about it.

Senator SMITH. I am not asking you who it was or anything, but do you know the man who was suspicioned?

Dr. JACKS. Yes; but I couldn't tell you—I don't know the name of him.

Senator SMITH. I am not asking you about telling your knowledge of who he was, but do you know the man who did it?

Dr. JACKS. Yes, sir.

Senator SMITH. Have you seen that man since the killing?

Dr. JACKS. If so, I don't know it.

Senator SMITH. You do not know?

Dr. JACKS. You see, the country is just like that, in a stir-up, and I was arrested and held a prisoner quite a while myself.

Senator SMITH. What for?

Dr. JACKS. Well, I reckon, for nothing. I don't know what else. I am sure I wasn't guilty.

Senator SMITH. You had violated no law?

Dr. JACKS. I don't know how; but I think I have got friends here—that I had not violated anything—just simply because my name is Jacks, and they call me a Yaqui Indian, and claimed I was from Sonora and a spy from the Villa army.

Senator SMITH. Who was doing the ordering?

Dr. JACKS. Lopez De Lara, a general of the Carranza people—Gen. De Lara was the man.

Senator SMITH. He was there during this time of the trouble that you speak of?

Dr. JACKS. Well, he came in right away afterwards—his people with him.

Senator SMITH. Were there any depredations following his advent—after he got there?

Dr. JACKS. Well, there were so many I couldn't tell you; I can't even recall—there was just one thing after another, all the time, gentlemen; you couldn't recall—part of the time it was dodging in the brush, dodging bullets, hiding out in your pasture—anywhere you could get to to keep from encountering them.

Senator SMITH. What became of that colony—did I ask you that?

Dr. JACKS. Well, the president of the colony is here—he wasn't at that time; at that time, I think Mr. Ingram was made president of the colony, I imagine, I don't know—my mind is not just clear on that; but that was the colony—Blalock Colony—and there may be three or four men down there, but I came out a year and a half ago: simply came out because I had nothing to stay there for. They got all my cattle, horses, and I had a good stock of drugs, and they made me practice three or four months with them, but I got ahead of this Lopez De Lara. I was held a prisoner 19 days and court-martialed and ordered shot by Lopez De Lara. Mr. Blalock was one of the Americans who helped to rescue me, through the American consul and Mexican officers at Tampico. They knew it was not so, but they wouldn't let me bring a witness at all; they were just bound to shoot me—they did shoot at me. These was all Carranza people now—no one else at all—these was no bandits at all, it was Carranza soldiers. I met a little bunch coming in to Xicotencatl—I had had a great deal of sickness, and I went to Tampico with my servants—always carry servants there, a mozo, and we were riding and met a bunch of about 25, and they hailed me. I didn't answer them, and they opened fire on me but didn't hit me, and I rode right up to them. Well, one of the men got a beating; that is, with a machete—that was a bad beating—one of these long knives, and, of course, if it had hit me that wouldn't have saved me—wouldn't have done me any good—but they didn't; that is about all there is about it. Now, in regards to being held. John Rose was also being held—one of the men who was being held with me. He was a cattle dealer, John Rose was; he and I were together—you have heard his name here. He had started to Tampico with me. Well, then, my last experience there—well, then, an experience before that was with this Rodriguez; he was one of the main men that got our stock.

Senator SMITH. Now, whom did Rodriguez follow?

Dr. JACKS. Rodrigo Flores, I just didn't finish his name—Rodrigo Flores, he was the man that did it, he did more dirt than anybody ever did there in the colony, done more theft.

Senator SMITH. Whom was he supposed to be with?

Dr. JACKS. Carranza, he was a lieutenant colonel of Carranza, and his father was a general. I got personally acquainted with him later on, he said has was a friend of mine, but he didn't fail to send his men after my horses just the same, and take them, and he took a lot of my cattle and butchered them. Now, this man Rodrigo was the man that they said robbed so many of the other men and stood them up and shot them; but I wasn't there then; I heard Mr. Frasier give a little of that testimony this morning, and I read Mr. Blalock's a week ago, and I see he gave some of it—so they were there and knew more about it than I did.

Senator SMITH. What is your blood?

Dr. JACKS. I am a Cherokee Indian.

Senator SMITH. Is that all?

Dr. JACKS. No; that is not all I know; I couldn't tell it all this evening—my mind, I couldn't begin to tell it all.

Senator SMITH. What the committee is trying to get at now is the conditions there.

Dr. JACKS. Well, the conditions—I was there where Mr. Randle—of course, I have heard that, like anyone—when Randle was butchered and chopped up with a machete—with knives, and threw in the well; I was there also when this man was killed in the mountains—oh, Walter Hitt's brother-in-law—what is it? Brooks. I was there then at the same time and was doctoring in the colony all the time, and it is a hard matter for a man just to sketch out a thing, you know, and give the straight details about everything that has happened, and there are so many things to tell that it is enough to make any sane man go crazy—especially as I had a wife and six children—five little girls and a little boy—and not a dollar left in the world, or anything of the kind, there wasn't anything left, they had taken every dollar in the world I possessed.

Senator SMITH. They treated the balance of them left pretty much the same way?

Dr. JACKS. Yes, sir; but they never did punch me with a gun, although I was shot at and ordered shot.

Senator SMITH. I mean, as to property losses?

Dr. JACKS. Property losses? I learned that Rodrigo was the man that took part of my horses; I was very sick, had partial paralysis, and they brought me to El Paso to have an operation performed, during the time my main stock was taken; but my last stock, I wrote in to Mr. Hanson—he wrote me and I wrote him. I sent him the list at the time, 25 horses, and one of them a \$500 horse, and mares that I paid \$50 apiece for in Texas and shipped down there—I had a fine horse ranch and a fine cow ranch, and they got everything, nothing there, they didn't leave me a thing on earth to support my family with, or anything else. That, of course, just to kinder sketch along, as you know.

Now, in regards to Mr. Gorham, I couldn't give you any details any more than his son wrote me—his son is my agent there now, looking after my property and so on: I have a farm.

Senator SMITH. Have you anything but your land?

Dr. JACKS. That is all—well, I had an old gray horse that they gave me back to practice medicine with; I furnished my own drugs until I didn't have anything to doctor with, and they sent me off to get drugs, and I didn't come back any more; I went to Tampico and got my passport and came out. This man, now, was Aniceto Mariana, that was the only one—the only bandit that ever did me any harm at all really—Aniceto Mariana, he was a lieutenant colonel that was there in charge under Mateo Hernandez, they skinned us of the last cattle at all, they taken everybody's.

Now, there is another thing—a man that had stole Mr. Blalock's coat came and called me out of my house; I walked right out to the edge of the gallery, and I had got about to where we was—I thought they would get me before I got out there: I didn't mind getting shot; I had got casehardened. He says, "Come out here." I says, "Tell me what you want to say to me." He says, "You come out here or I will shoot you." I says, "Shoot," and he made an oath and says, "I will come in and hang you;" he had two or three other men with him, and I said, "Come ahead," and he opened my yard gate and ran his horse in right up until his horse's head could touch me, with his rope in his hand; he said, "Why didn't you come to me when I called you?" And I said, "Why didn't you come here if you wanted to talk to me?" And he says, "I will hang you." I says, "Well, hang me, then, you have got your rope," I said, "hang me." And so he finally turned to a Mexican woman, who was my house-keeper. He says, "Is this your husband?" She said, "Yes." Well, there was no truth in that—my wife was in this country, in the United States—she was afraid they were going to kill me, and she thought that would help me out, by her saying that, and she said "Yes," and he burst out in a good laugh and said, "You had better quit him, he will kill you," and just turned and rode out and said good bye, and that was all then; and he had on Mr. Blalock's cow coat then, a leather coat they wear in picking up cattle; and he was then with the Villistas.

Senator SMITH. Well, what was that? I don't want to interrupt you; go ahead.

Dr. JACKS. Well, I have just got so much in my head, it is hard for me—

Senator SMITH. Well, from the time that this trouble commenced up to the time you left there—

Dr. JACKS. Yes; I was going to speak about the taking of stock there.

Senator SMITH. Well, I understand. I mean as to the general conditions, as to peace and order in that country?

Dr. JACKS. Oh, peace and order? Everything that was done was done by the Carranza army; they did more harm, three to one, than any of the other fellows ever did do, after they ever came in there: if we had any friend at all that offered us any friendship, it was the Villa people that did it; that was so, it was proved to me: it seemed most any of them would take anything they wanted, and I never would run out; I stayed as long as there was anything to stay for; and, besides, when they were fixing to rob me—I had a little money planted among the trees in my yard on the place, \$1,600—and at the time they gave me a paper—a passport, they said—they had Col. Mariana come out and buy drugs; they found out that the

Federals were coming up there right away, and, as the captain had always promised me—for a favor I did him—that if he ever knew anything was coming up against me he would let me know, and he came up there and said, "The lieutenant colonel wants to know if you will send him \$200 in silver for \$200 in gold."

Well, the first thing that popped into my head was how did they know I had any money? And they had sent a man the day before that to borrow money, \$250; his name was John Medlin—you have heard his name called here at different times—John was doing a little business for them, buying a little whisky and tobacco and such stuff, trying to save his own stock through this, and did for a while. Well, I told him, "I am sorry I haven't got it." John told me he would leave the money with the general, and did do it, down in the valley with the Federals. Just before he got through—the captain—and left, he says, "I will tell you, Doctor, we will be here early to-morrow morning." That was the main thing he wanted to tell me and to impress upon me, that they were going to rob me the next morning. And just as soon as he told me, I got right out of there, and I saw he made emphasis enough to it to make it a friendly word, for he wanted to tell me right away; so he left, and I told my servant to get ready to go out, to come to my house at 4 o'clock the next morning, and he came there, and by sunup the next morning I was getting across the mountains. I was out of his lines—I knew that was earlier than he would start; I went to Mr. Taylor's and stopped and took breakfast with Mr. Taylor, right on the Federal lines, right where they almost daresn't go, and fed my horses and drank some coffee and left. Taylor says, "Don't leave Mariana until I come," he says; "if my passport will come I will go on with you." The American consul wrote me that my passport was there, so I knew I wasn't going back there. The next morning, when Taylor came there, he said, "Doctor, you just barely escaped," he said; "there were three armed men there after you, but you had gone; you were hardly out of sight when they came there." I did have \$300 American gold with me at the time, and the way I escaped with it I put it in my morral and hung it to the horn of my saddle, and put it in another larger one filled with corn, so that if they would touch it they would feel nothing but the corn, not the money; and sure enough, we ran into some of them, and the leader touched the corn and said, "What have you got there?" I said, "Corn." "What do you want with corn?" "Feed my horse with." That was all that let me out with my money. As for the cattle, I was there and knew that they had taken everybody's cattle; Mr. Blalock had some cattle left there. And every now and then there was a brand or mark of Mr. Smith's, or Mr. Tom Young's, or somebody's; but what could you say?

Every once in a while you could see your stock going off with them. During the time they left me three or four milk cows and a jersey bull to plow the crop; I had my Mexicans put on the horse collar—they stole my horse away, big large stallion, I wouldn't have taken \$500 for him—they put that on the bull and put the harness on him and plowed and finished laying by the crop as best they could, so they left me that, and made me pay \$8 a head on them to let John Medlin run across the mountain and bring them back whisky and tobacco and matches, and such stuff as I didn't have

and had to get within the Federal lines, or Xicotencatl, which is in what is known as the federal district.

Senator SMITH. Well, what is known as the federal district at this time?

Dr. JACKS. Well, the federals were in one town and the rebels had run them out of our community, that was this fellow I spoke of—this Aniceto Mariana—there were about four thousand of them, and Zapatistas, and they stayed on us three months—during that time, three months, came in on the 24th day of April, and turned me loose on the 23d day of July—I was a prisoner that long; still I could go anywhere, but dare not cross the line.

Senator SMITH. It was sure death?

Dr. JACKS. They would shoot me sure, but they allowed me a little more privilege than they did some of the others, because they wanted me to practice medicine with them and doctor their sick.

Senator SMITH. All right. That is all, Doctor. Did you ever prepare a list of your damages?

Dr. JACKS. I sent it here; I sent it to Mr. Hanson.

Senator SMITH. You identify the things you sent to Mr. Hanson?

Dr. JACKS. Yes, sir.

Senator SMITH. As listed on your list?

Dr. JACKS. Yes, sir. And I knew every man nearly that was in there and got this stuff; the federals got most of my horses, and stuff, the rebels didn't get anything hardly, the federals got it; and the very night they caught me, on the 23d of April, and had that fight, the Federals got three horses that night, only left me an old stallion and three or four horses, and the rebels got them, and finally returned to me one horse over for me to practice medicine, because I wouldn't walk for them, and they sent that back to me.

Senator SMITH. All right.

We have no other witnesses that we can examine this afternoon, except those that we wish to examine in executive session, so you will leave us in possession of the room, that we may take their testimony that way.

(The room was cleared of everyone except the committee, its attachés, and the official reporters, and the committee went into executive session.)





# INVESTIGATION OF MEXICAN AFFAIRS.

**TUESDAY, JANUARY 20, 1920.**

## **SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS, UNITED STATES SENATE.**

The subcommittee met pursuant to the call of the chairman, at 10.50 o'clock a. m., in the pink room of the Gunter Hotel, in San Antonio, Tex., Senator Marcus A. Smith presiding.

Present: Senator Smith and Dan M. Jackson, Esq., clerk of the subcommittee.

### **TESTIMONY OF MRS. F. M. PARMELEE.**

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Mr. JACKSON. You are Mrs. F. M. Parmelee?

Mrs. PARMELEE. Yes, sir.

Senator SMITH. Mrs. Parmelee, you were the wife of Mr. G. M. Parmelee?

Mrs. PARMELEE. Yes, sir.

Senator SMITH. What became of Mr. Parmelee?

Mrs. PARMELEE. He was killed by bandits, I presume, on December 29, 1917.

Senator SMITH. Nineteen and when?

Mrs. PARMELEE. 1917.

Senator SMITH. 1917. Where?

Mrs. PARMELEE. Between Mercedes and Llano Grande.

Senator SMITH. In the United States?

Mrs. PARMELEE. Yes, sir.

Senator SMITH. How far from the border?

Mrs. PARMELEE. I think it was about 6 miles from the border, wasn't it?

Senator SMITH. Can you give the details of that killing—the circumstances?

Mrs. PARMELEE. Well, I can give from hearsay, not positive. Two weeks before that my husband came home and he said, "We have had warnings from across the river that some of the bandits are coming over and rob the pay roll and kill all the men at Llano Grande," where there is a sugar mill. Well, two weeks after that my husband went in with another man, Charley Greenslade, to get the pay roll at Mercedes, and the people at Mercedes said they might need guards, and it was a very cold day, and you know how Mexicans are with the cold. My husband said that he did not think there was any danger on account of this extreme cold weather; that they would not molest them in any way. Well, when they started out they started at about 1.30. When they got out about 6 miles, I believe, from town, there

was a closed gate, and there was a rock against it on the other side, closing the gate. My husband was in a Ford, and he said he never stopped for a closed gate with a Ford and they pushed right on through the gate, and just after they pushed through the gate—it was a plan of the Mexicans, we presume—when the car stopped to shoot both of them, and get the pay roll. Well, they went right through. Of course, they had to slow up quite a bit. Just as they got to the other side of the gate the Mexicans fired; they fired about six shots. One killed my husband instantly. He was driving, and just as soon as he fell back, Charley Greenslade took the wheel, and about 10 minutes after that they met some rangers, and a posse was formed right then to follow these men. Now, I do not know how many were killed; they said they killed several, and I heard Capt. Spencer Crump, he was talking to me, and he said that he led the posse, and he was positive that some of the men that were in the posse are still living on the other side of the river, and that they have had trouble with them since. Capt. Spencer Crump could possibly tell you that.

Senator SMITH. You mean that they were in the posse pursuing them?

Mrs. PARMELEE. No; they were in the band of bandits—with the bandits.

Senator SMITH. They are over on the other side?

Mrs. PARMELEE. Yes, sir; they have given them trouble.

Senator SMITH. Now, was your husband supposed to have money to pay the men?

Mrs. PARMELEE. My husband had the pay roll for the sugar mill.

Senator SMITH. I mean, did he have the money?

Mrs. PARMELEE. Yes; he had the money.

Senator SMITH. Pay roll means a list of names; but he had the money to pay the men?

Mrs. PARMELEE. Yes, sir; he had the cash.

Senator SMITH. Did he have it with him?

Mrs. PARMELEE. Yes.

Senator SMITH. Did they get the money from him?

Mrs. PARMELEE. No.

Senator SMITH. Why?

Mrs. PARMELEE. Because, Mr. Greenslade, as soon as my husband was shot, put on all the speed that they had and they shot several times; he was inflicted several times with flesh wounds, but got away before the Mexicans could get him.

Senator SMITH. Then immediately afterwards, you say, a posse was formed to pursue the Mexicans. Where did they go, across the river?

Mrs. PARMELEE. Well, I do not know just where they went. I heard they chased them to the river; I heard they chased them to the river and killed some of them, and some of them got in boats and went across the river, and I heard that one or two were killed on the way across.

Senator SMITH. Where was your husband raised?

Mrs. PARMELEE. In Elyria, Ohio.

Senator SMITH. He was a citizen of the United States?

Mrs. PARMELEE. Yes.

Senator SMITH. When did he move down to Texas?

Mrs. PARMELEE. In 1911, I believe.

Senator SMITH. What pay roll was that you referred to; what were the men doing that were getting paid with this money?

Mrs. PARMELEE. The Llano Grande Sugar Mill; I believe that is the name.

Senator SMITH. Where was that located?

Mrs. PARMELEE. At Llano Grande; that is between Mercedes and the border.

Senator SMITH. Did your husband leave you anything, or are you dependent on your own labor for your living?

Mrs. PARMELEE. No; I am dependent on my own labor. He left me something, but not enough to make me financially independent.

Senator SMITH. That will do, I think.

### TESTIMONY OF JOHN R. BLOCKER.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator SMITH. Where were you born?

Mr. BLOCKER. Edgefield District, S. C.

Senator SMITH. You are an American citizen?

Mr. BLOCKER. Yes, sir.

Senator SMITH. Never renounced your allegiance?

Mr. BLOCKER. No, sir.

Senator SMITH. Mr. Blocker, did you ever live in Mexico?

Mr. BLOCKER. Yes, sir; I have had a ranch there about 20 years.

Senator SMITH. Whereabouts?

Mr. BLOCKER. In the State of Coahuila.

Senator SMITH. Coahuila?

Mr. BLOCKER. Yes, sir; about 150 miles right west of Eagle Pass and 130 miles right west of Del Rio.

Senator SMITH. Then, it was in the State of President Carranza?

Mr. BLOCKER. Yes, sir.

Senator SMITH. Was he governor of Coahuila once?

Mr. BLOCKER. Yes, sir.

Senator SMITH. Now give as succinctly as you can a brief history of your treatment there and the resulting loss that you have sustained, if any, and what you have gotten back, if you have gotten anything.

Mr. BLOCKER. Well, we started that ranch in 1898.

Senator SMITH. "We" started the ranch; was anyone connected with you in it?

Mr. BLOCKER. Yes, sir; it is a stock company under the laws of Mexico; we organized under the laws of Mexico.

Senator SMITH. Purchased that land or rented it?

Mr. BLOCKER. We first rented, and then purchased it all. We first rented when we went there in 1898; we leased 125,000 acres, and about two years after that we bought 125,000 acres, and the year after that we bought another 125,000 acres, and in 1908 or 1909 we bought 237,000 acres of the Madero company. Our first year's work there was perfectly satisfactory; everything worked nice; we were treated well, and during Diaz's administration nobody was ever treated any nicer than we were.

Senator SMITH. When did your troubles commence?

Mr. BLOCKER. After the Madero revolution commenced. Our troubles commenced after Madero was killed. We never had any trouble until after Madero was killed, but when he was killed then our troubles commenced.

Senator SMITH. What were these troubles?

Mr. BLOCKER. Well, we were bothered by roving bands; some called Carrancistas, some Villistas, some Orozquistas, and they just molested us so that we could not stay in there. Our horses were taken from us. The first raid made on us was by Gen. Caraveo, and he came there with about 900 men, and 1,000 or 1,200 horses, and took a hundred and twenty-odd horses from our ranch, 10 big work-mules, killed 40 hogs, all the chickens that we had on the ranch, and killed the milch cows and calves, and killed all the beef they wanted and stayed there four or five days and pulled out.

Senator SMITH. Who was he?

Mr. BLOCKER. He was supposed to be a man in Orozco's division of rebels.

Senator SMITH. Which Orozco; Orozco himself?

Mr. BLOCKER. Orozco himself.

Senator SMITH. That was the first raid?

Mr. BLOCKER. Yes, sir.

Senator SMITH. You say this continued constantly?

Mr. BLOCKER. Yes, sir; this continued constantly from that time on. In the seven or eight years we lost something like 350 or 400 saddle horses, and on this same raid of this Orozco we lost about \$2,000 or \$3,000 worth of provisions out of our commissary; they didn't leave enough for the women and children to eat.

Senator SMITH. These depredations kept up until the whole place was denuded?

Mr. BLOCKER. Yes, sir. We commenced moving out, getting out what we could, and selling at a sacrifice and any other way to get out to save what we could from the wreck.

Senator SMITH. What do you estimate the losses of these depredations to be reasonably worth?

Mr. BLOCKER. Well, sir, you couldn't hardly figure that.

Senator SMITH. Have you ever made any claim yet?

Mr. BLOCKER. No, sir; we have never made any claim yet. If we had not been molested, the ranch was bringing us a clear profit of revenue of half a million dollars—to-day the ranch would have been paying us over half a million dollars income.

Senator SMITH. If you had been left alone as you were under the Diaz administration?

Mr. BLOCKER. Yes, sir.

Senator SMITH. Did you have any visits from the Carrancista soldiers?

Mr. BLOCKER. Yes, sir; lots of them.

Senator SMITH. Was that while Carranza was supposed to be in control—while he was President?

Mr. BLOCKER. Yes, sir.

Senator SMITH. When did that occur and to what extent were those depredations carried on?

Mr. BLOCKER. Well, they would come there and pretend—say that they wanted some horses, and we would tell them that we didn't

have any horses, and they would just go to the lot and get out as many horses as they pleased and take them off, and take your provisions and kill your beef or just whatever they pleased.

Senator SMITH. Did they ever pay you anything for it?

Mr. BLOCKER. Not a cent on earth.

Senator SMITH. All through these depredations what federal authority, if any, attempted to or seemed to try to prevent these depredations?

Mr. BLOCKER. They didn't any of them try to prevent them.

Senator SMITH. And when the alleged rebels were there?

Mr. BLOCKER. I paid \$2,000 for a man by the name of Delamain. I paid \$2,000 ransom for that man, and it was to a man that was supposed to be a major in Carranza's army.

Senator SMITH. Carranza's army?

Mr. BLOCKER. Carranza's army; yes, sir.

Senator SMITH. You paid for him?

Mr. BLOCKER. I gave it to Mr. Delamain to pay. Mr. Delamain was our foreman on the ranch. We had seven or eight men run out of there, and we had to just keep changing them, and a nephew of mine, J. M. Blocker, he was run out of there three times. And a man by the name of Dawson, he was run out twice, Edgar Dawson; and a fellow by the name of Cull Bruner was run out.

Senator SMITH. Now were they run out by the assaults of these men?

Mr. BLOCKER. Yes, sir. They would come out there, and these men would hear they were coming, and they would get uneasy and leave. This Blocker, a nephew of mine, he was warned to leave. There was a Mexican came to him and told him that one of the Carranza men at Boquillas, the little town of Boquillas, was going to send over there the next day and get him, so he pulled out the night before they got there.

Senator SMITH. What are the present conditions in that particular State, if you know, as to preservation of law and order?

Mr. BLOCKER. There was no order.

Senator SMITH. There was none?

Mr. BLOCKER. No, sir; the rifle was the law. This fellow Musquiz that took this money from Dalamain he was at my ranch there one day talking, and I was talking to him and I said, "You should not do this; there is no law for acting this way," and he tapped his rifle and said, "Here is the law." That was the Mauser-rifle law.

Senator SMITH. And that you found to be a fact?

Mr. BLOCKER. Yes, sir.

Senator SMITH. As to the present conditions in Coahuila, do you know?

Mr. BLOCKER. I do not know much about the present conditions in Coahuila. I know that two years ago Mr. Weathersby and Russel put three or four thousand head of cattle on this Piedra Blanca ranch of ours, and I know they lost a thousand of them out of the 3,000. They were driven off and butchered, and they found where they were butchered and they caught the men and carried them to Saltillo and they were turned loose after they were captured and carried there; they were turned loose and had nothing done to them. They found the beef in the camp and the brands of the cattle, and nothing was done.

Senator SMITH. And that was the condition when you left?

Mr. BLOCKER. Yes, sir. I know we have not got a cent of revenue off the ranch in five years; it is half a million acres of land lying idle.

Senator SMITH. That will do, I think.

Mr. JACKSON. Thank you, Mr. Blocker.

Senator SMITH. We are short of witnesses this morning and we will have to go into executive session for a little bit, and after that I think we will adjourn for the day. We will get through this morning. We will go into executive session now.

# INVESTIGATION OF MEXICAN AFFAIRS.

WEDNESDAY, JANUARY 21, 1920.

## UNITED STATES SENATE, SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS.

The subcommittee met pursuant to the call of the chairman at 10.30 o'clock a. m. in the Pink Room of the Gunter Hotel, in San Antonio, Tex., Senator Marcus A. Smith presiding.

Present: Senator Smith and Dan M. Jackson, Esq., clerk of the subcommittee.

### TESTIMONY OF W. B. HINKLY.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator SMITH. Where were you born?

Mr. HINKLY. Luverne, Minn.

Senator SMITH. You are an American citizen?

Mr. HINKLY. Yes, sir.

Senator SMITH. Where have you lived recently, the last several years?

Mr. HINKLY. I lived for 12 years in the Rio Grande Valley.

Senator SMITH. Where?

Mr. HINKLY. In the Rio Grande Valley, San Benito, Tex.

Senator SMITH. How far were you from the international line, the river?

Mr. HINKLY. San Benito is about 8 miles from the river.

Senator SMITH. Do you know anything of any raids across the river or depredations on the American homes or property on this side of the river?

Mr. HINKLY. Yes, sir.

Senator SMITH. Will you please tell of those raids, and especially affecting you and your property?

Mr. HINKLY. Well, the first few years I was down here, up until about five years ago—four years ago, about the time that the Madero revolution came up—while Diaz was in power in Mexico everything was very peaceful on the river—we had no trouble with stealing or anything; but ever since the revolution started in Mexico, ever since then, we have had a good deal of stealing and, of course, we had a good deal of bandit trouble about three years ago, and there has been a good deal of stealing ever since then.

Senator SMITH. On what Mexican state does Texas border?

Mr. HINKLY. Tamaulipas is the Mexican state opposite San Benito, our country.

Senator SMITH. Who was supposed to have control in Mexico over that side at that time?



Mr. HINKLY. Well, Carranza has had control over it for the last several years.

Senator SMITH. Now, since Carranza has been in control of it, how about the depredations down there?

Mr. HINKLY. Well, up to the time of the revolution there never were any depredations there. During the Diaz administration I lived on the bank of the river myself—right on the bank of the river—for about two years, and during that time there was nothing stolen, and we had no trouble then.

Senator SMITH. Well, when did it commence?

Mr. HINKLY. It commenced when the revolution started in Mexico, after Diaz was overthrown, and then more stealing since Carranza has been in power than any other time.

Senator SMITH. What property did you have down there?

Mr. HINKLY. Well, I owned about five or six different farms; I had a couple of dairies—the principal interests that I have there—and I am in the manufacturing business—I run a wholesale ice-cream business there.

Senator SMITH. What is your nearest town?

Mr. HINKLY. I live in San Benito.

Senator SMITH. Was that the point where you did your selling and trading, with your dairy that you said you had?

Mr. HINKLY. Yes, sir; I was also cashier of the bank there for five years.

Senator SMITH. State what you know of those raids along that border?

Mr. HINKLY. The raids along the border, what they called the bandit raids, I do not remember the exact date when they started, but I believe it was about three years ago. The people around San Benito, there, got news that the Mexican were organizing to make raids on the people; the first fight they had was at a ranch about 12 miles from San Benito where they heard that there was a bunch of bandits organizing, and the posse went out there and found them. I think there were one or two Mexicans killed and two officers wounded, I believe, in that first fight. After that the raids occurred at intervals of about every two weeks—that is, the fights right in that locality, about every two weeks.

Senator SMITH. How far do you live from Brownsville?

Mr. HINKLY. It is 21 miles from Brownsville.

Senator SMITH. Up the river?

Mr. HINKLY. Yes, sir.

Senator SMITH. What was the amount of the settlement on the American side along that river in your vicinity?

Mr. HINKLY. At what time?

Senator SMITH. At the time of which you speak; any time before they were driven out, if they were driven out; I have not got to that yet.

Mr. HINKLY. It had had a very rapid growth—our locality had, at the time I went there in 1907 there was no town at San Benito at all, and they didn't even have a post office, and just before the bandit raid started, I think, San Benito had a population of five or six thousand people; the country was prosperous, all the farmers around there were prosperous, and the community was growing

very rapidly. As soon as the bandit raids started the more timid ones commenced to move at once, and inside of three months, I think, all the tenant farmers had left and a good many people there left their own farms, and others went up north or came to town and stayed until the bandit troubles were over. Some of them returned and some did not return.

Senator SMITH. How often would those incursions from Mexico occur?

Mr. HINKLY. Well, my observations of it was that there was a big raid pulled off about every two weeks.

Senator SMITH. At some point along the border there?

Mr. HINKLY. Yes, sir.

Senator SMITH. Where would these bandits or the lawless people come from?

Mr. HINKLY. Nearly all of them were traced across the river, come across over the river and were driven back to the river, traced across the river.

Senator SMITH. Do you know of any on this side of the river, Mexicans, for instance, joining in those raids, or do you know?

Mr. HINKLY. The first fight that was had near San Benito, they rounded up some men out at this ranch about 12 miles from San Benito, and that was the only bunch that I know of having been found that was organized on this side. Now, whether they were operating with people from the other side I do not know; but after that fight everything crossed from the other side of the river, there was nothing organized on this side.

Senator SMITH. I understand you, then, that there was a reign of terror on our side of the river?

Mr. HINKLY. Yes, sir.

Senator SMITH. On account of these invasions?

Mr. HINKLY. Yes, sir; everybody was afraid to stay out in the country. There was not anybody stayed in the country during those bandit raids. All the farms laid out. There were no farms under cultivation there that year.

Senator SMITH. About how far did that extend up and down the river—that leaving their homes to get out of danger?

Mr. HINKLY. That was more or less general. I think, all through the Rio Grande Valley; what they call the Lower Rio Grande Valley; that is, the part that is in cultivation. In our particular locality I think it was about as bad as any other place in the valley.

Senator SMITH. What number of families would you estimate, at a rough guess, had to leave the country and leave their homes on account of those raids?

Mr. HINKLY. It would undoubtedly run into the hundreds of families.

Senator SMITH. Many of them have not yet returned?

Mr. HINKLY. Yes; I would say a great many of them have not yet returned; however, I think that probably more than half of them have returned.

Senator SMITH. As to the depredations on the movable property in that county—cattle, horses, and crops and stores—if there were any, whether or not this property was ever taken, or whether it was left there intact?

Mr. HINKLY. No, sir; there were—there was a good deal of stealing right around San Benito. I do not think there was very many raids in which property was taken, but it was mostly all taken in thefts—stealing.

Senator SMITH. By common stealing?

Mr. HINKLY. Yes, sir.

Senator SMITH. What were those raids for, does it seem; to hurt some one?

Mr. HINKLY. Yes, sir; those raids were conducted for the purpose of killing.

Senator SMITH. Any robbing?

Mr. HINKLY. No, sir. Well, they robbed some stores, but it seems they wanted to kill people; that was the main thing.

Senator SMITH. Do you know anything about the size of the bands that would come across the river?

Mr. HINKLY. Well, they ranged all the way from 15 to 20 up to 100 or more.

Senator SMITH. How long did this continue?

Mr. HINKLY. It continued for about a year.

Senator SMITH. What is the condition there now—any better or worse?

Mr. HINKLY. Well, we have had no raids since the soldiers were located down there in big bands, large quantities.

Senator SMITH. When were the soldiers located there?

Mr. HINKLY. The soldiers—the militia, it took them about four months to get down there from the time the raids started.

Senator SMITH. You mean the State troops?

Mr. HINKLY. Yes, sir.

Senator SMITH. Any Federal troops there; any United States troops?

Mr. HINKLY. Yes, sir: the Federal troops were the first ones to get there; we had the Twenty-sixth Infantry; they were the first ones there.

Senator SMITH. After the establishment of those soldiers there, a greater quiet, I understand you to say, prevailed?

Mr. HINKLY. Yes, sir. There were about 60,000 soldiers moved into that territory within a radius of about 60 miles, and after they came down everything soon quieted down.

Senator SMITH. I think that is all.

#### TESTIMONY OF E. L. TURNER.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator SMITH. Where were you born?

Mr. TURNER. DeWitt County, Tex.

Senator SMITH. You are a citizen of the United States?

Mr. TURNER. Yes, sir.

Senator SMITH. Do you know anything about the raids along the border? Where do you live in Texas now, or have for the last several years?

Mr. TURNER. For the last two years I have been living in San Antonio.

Senator SMITH. Where were you at the time of those raids down there; do you know anything about that?

Mr. TURNER. Well, I went down there in 1911, and the first three years were very quiet and peaceful, and after the first three years till 1915, when I left there, why, we were disturbed by the bandits, and the last four months we had to go in bunches to keep our families together and stay and guard, not knowing whether they would or would not come in, so we was expecting them any time.

Senator SMITH. How long did that condition prevail there where you were guarding families in bunches?

Mr. TURNER. About four months before I left there.

Senator SMITH. How long after that before any troops came down to the assistance of the people there?

Mr. TURNER. Well, that I could not say just when the troops went there.

Senator SMITH. Why?

Mr. TURNER. Well, I left there and came up to Corpus Christi, and I seen troops going in, but I was not present to see where they were putting them.

Senator SMITH. Where was your place?

Mr. TURNER. One mile below Santa Maria, on the interurban line.

Senator SMITH. What did you do down there?

Mr. TURNER. I had a truck farm and hogs.

Senator SMITH. Where was your point of dealing?

Mr. TURNER. Mercedes.

Senator SMITH. Are you still living there?

Mr. TURNER. No, sir.

Senator SMITH. Why did you leave there?

Mr. TURNER. Well, because we could not stay up and guard all night and make a living to support our families.

Senator SMITH. Did you feel, or not, whether your families were safe?

Mr. TURNER. Did not feel like they were safe.

Senator SMITH. And on that account——

Mr. TURNER. On that account we left there.

Senator SMITH. Did that condition generally prevail as long as your experience extended?

Mr. TURNER. Well, so far as I know there were several families left out of the valley before I did, and at the same time I did and after I did; people I know.

Senator SMITH. What were your losses down there; your individual losses?

Mr. TURNER. Well, I could not replace to-day my losses for \$3,000; what my loss was when I left there.

Senator SMITH. What occasioned the losses?

Mr. TURNER. Well, you mean what were the losses?

Senator SMITH. What caused it; how come you to lose it?

Mr. TURNER. On account of the Mexican bandits, the Mexican trouble, we were actually afraid to stay there, and we had to get up and come off and leave there.

Senator SMITH. That is all.

**TESTIMONY OF HENRY FORRES.**

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator SMITH. Where have you lived, Mr. Forres, for the last 20 years?

Mr. FORRES. In Mexico.

Senator SMITH. Are you an American citizen?

Mr. FORRES. Yes, sir.

Senator SMITH. Where were you born?

Mr. FORRES. Fayetteville, Tex.

Senator SMITH. Your experience in Mexico for the last 20 years, where have you lived?

Mr. FORRES. I have been all over the Republic; principally in Coahuila, Nuevo Leon, and Tamaulipas.

Senator SMITH. What has been your business in Mexico?

Mr. FORRES. In leasing lands for oil and coal.

Senator SMITH. Connected with any corporation?

Mr. FORRES. At times, but for the last several years acting independently.

Senator SMITH. You are not representing any of the alleged big interests?

Mr. FORRES. No, sir.

Senator SMITH. Acting entirely on your own—

Mr. FORRES. Absolutely.

Senator SMITH. Line of business?

Mr. FORRES. Getting leases and then getting friends of mine to buy them.

Senator SMITH. And you would just obtain a lease and then obtain a purchaser for it?

Mr. FORRES. Either that or tie it up under an option and then get some party with a little money to go in and finance it.

Senator SMITH. Had you ever lived at Matamoros?

Mr. FORRES. I am living at Matamoros now.

Senator SMITH. At this time?

Mr. FORRES. Yes, sir.

Senator SMITH. What were the conditions in Mexico up to the time of the revolution as to peace and order?

Mr. FORRES. Up to the time of the revolution a person could have gone into any part of the Republic, either day or night, without an escort and not be bothered, and have slept with the doors of his house open and no one would have entered at all.

Senator SMITH. And the country at that time was as safe as any country?

Mr. FORRES. Absolutely.

Senator SMITH. When did that peaceful condition change?

Mr. FORRES. As soon as Madero started his revolution.

Senator SMITH. Will you please detail the experiences you have had down there in the development of that newer condition of things?

Mr. FORRES. Well, it has been so voluminous, because I have been right in between the different bunches of revolutionists ever since Madero started his revolution.

Senator SMITH. What members of revolutionists as known by the heads of them?

Mr. FORRES. Well, it is pretty hard to determine, because the Mexican is a very ambitious kind of a fellow, and if one has eight or ten men operating independently, he calls himself a general. At one time, in Piedras Negras, right opposite Eagle Pass, 15 generals had a banquet, and I do not think any one of those generals, at any one time, had ever had over 40 men under his command.

Senator SMITH. Then you have been in the country where the Villistas are?

Mr. FORRES. The Villistas, the Carrancistas, the Maderistas, the Zapatistas, the Felicistas, and the Palaecistas, and every "partido" in the country.

Senator SMITH. Every shade of revolution?

Mr. FORRES. Yes, sir.

Senator SMITH. Do you know anything about an article known as 27 in the new constitution that they have adopted since Carranza's reign?

Mr. FORRES. Article 27 was devised by Luis Cabrera, and I think it is the most ingenious piece of legislation for selling the subsoil that was ever invented by the mind of man.

Senator SMITH. What was the effect of that article 27 on the American interests in Mexico?

Mr. FORRES. It virtually means the confiscation of all of the oil rights of the Republic.

Senator SMITH. How did it affect your particular business?

Mr. FORRES. It absolutely wipes us out if it is sustained, because all of the leases that I have gotten have been since that time.

Senator SMITH. What was your personal experience within the last week or so in Mexico in this regard?

Mr. FORRES. I went to Mexico City about two weeks ago in order to get some denouncements removed that some parties in Brownsville, American citizens all, with the exception of a party by the name of Pacheco, a merchant, and the American citizens were Fernandez, a banker; Cole, a lawyer; Friedman, a German-Jewish money lender; Dr. Dixon, recently discharged from the United States Army; a man by the name of Walker; and another by the name of Craig; they had denounced about a thousand acres right in the heart of a lease of 50,000 acres that some clients of mine at Wichita Falls were drilling on, had the machinery there on the ground; and I went to Mexico City with a petition from the owners—I have here a copy of one of the petitions taken to Mexico City, signed by the owners, protesting against these people going in and denouncing their property—subsoiling their property; they stole it, deliberately went in and made a survey of this property, and then went to Mexico City and denounced it, and some of these same owners are among the Carrancistas. So when I got to Mexico City I tried to see Salinas, and I would go to his office in the morning—

Senator SMITH. Who is Salinas?

Mr. FORRES. Salinas is the subsecretary of the Department of Industria y Comercio—Industry and Commerce—in Mexico City; but he was having a conference every day with Carranza, because

he was going East to see Secretary Lansing, and at the same time to see some financiers in New York to tell them so far as any anti-legislation was concerned that everything was going to be removed. The reason of that was that every officeholder in Mexico City of any prominence is supporting one or the other of the candidates—either Bonillas or Pablo Gonzales—and trying to get the money power at least to back one of the two as against Obregon, the independent candidate and an anti-Carrancista. But I never got to see Salinas. I went there first, I was there repeatedly, and repeatedly, and repeatedly; and after I saw his chief, a man by the name of Shiafano—I had to wait two days to see him, because those fellows all have kind of reception days that they receive and other than that you do not see them—and after seeing this fellow, the first thing he said—he had read all of my documents, because I had left them there two or three weeks, some of them, and some of them I had taken there with me in the last few days, on my trip down. He said, “Why, you people have absolutely no claim on these properties whatever, because your contracts were all made after May, 1917.”

Senator SMITH. That was the date of this article?

Mr. FORRES. The date of the constitution—the date of article 27; yes, sir. I told him, “Well, but under the ruling of your last Congress this article was to be revised.” He said, “Yes, but that was just a project”; that the article 27 was effective. I then asked him whether or not a party could deliberately go in a man’s private property and denounce the subsoil of the property without getting the consent of the owners, telling him that the owners of the land had acquired their title from the King of Spain and had been in continuous, actual, adverse, peaceable possession for over 100 years. He said that the oil and all the derivatives of the oil belonged to the nation, and that there was no controversy on that, inasmuch as oil was a substance, it was a national property and that if I wanted to I could go out to Guadalupe, a suburb of Mexico City, and denounce the property so far as the subsoil was concerned. Well, that got me up in the air; I had never agreed to his rulings. I finally asked him—I said, “Well, can we denounce some of my property, go in and work it?” He said, “No; you have allowed too much time to elapse.” We only denounced our property in June last year; that is, we registered our titles in June, and these other people denounced the land in August of last year; but I had no rights and these other people went in and denounced.

Senator SMITH. Well, as a real fact, they stood about in the same attitude as to the right of location as you stood?

Mr. FORRES. Yes, sir.

Senator SMITH. That is, they had no superior right in the world?

Mr. FORRES. They had no right whatever.

Senator SMITH. And yet they were allowed to denounce the very property that you were in possession of, and they refused to let you denounce it?

Mr. FORRES. Absolutely. He asked me—he said, “I do not see how you get your titles, your leases, registered, because you first have to get permission of the governor of the State before you can register a lease.” I told him—I said, “We have letters from Gov. Osuna authorizing us to register these leases.” He said that Gov. Osuna

had no right to grant this authority. My leases were registered and protocolized two months before these other people went in and made their denouncement, so a couple of days after, when they found I was going to the States, they came to me and told me that if I wanted to get this fixed, they could adjudicate this matter, but I told them that there was nothing to adjust.

Senator SMITH. Adjudicate your rights, how?

Mr. FORRES. Well, this man Santaella is one of the chiefs of the department of petroleum, and when Shiaffano saw that I would not abide by his decision, they "passed the buck" to this other man; and, inasmuch as I would not see him, his brother, being a lawyer, sent me word that if I would go to see him—Santaella's brother said that he would fix everything and get me anything that I might want. I told them that they were just two days too late; in other words, if I had gone and slipped them a piece of money, I could have gotten these denouncements removed. That is the reason I did not get anything in Mexico—because these other people from Brownsville had beat me to it and slipped them a little piece of change.

Senator SMITH. So you got there too late?

Mr. FORRES. A little too late.

Senator SMITH. Did he say, or did anyone say, what hope of success has one appealing for property that has been treated as yours has; for instance, what relief has he in the courts?

Mr. FORRES. Absolutely none whatever; none whatever. If the native himself has no recourse, what recourse has a foreigner?

Senator SMITH. Then, as I understand, they do pretty much as they please, open and aboveboard, and just tell you you can not have the right?

Mr. FORRES. Well, that is the trouble in that country. They send a bunch of emissaries to the States, some of whom are Americans themselves, telling us how they love the American people and what they are going to do for us there, and inviting us there, and the door is open for capital; but among themselves they tell altogether a different sort of story—they do not need the foreign capital; they can develop their resources with their own money.

Senator SMITH. Have you noticed in their laws, or can you see rather, how under article 27, carried out in the spirit of its execution or passage, what chance do you see of any American holding oil, coal, or other mineral lands?

Mr. FORRES. He has absolutely no chance whatever—absolutely no chance whatever.

Senator SMITH. Article 27, then, is a confiscation?

Mr. FORRES. Absolutely; absolutely.

Senator SMITH. What remuneration do they purpose to give?

Mr. FORRES. There is no stipulation; and even if they agreed to give a remuneration, you would have to get it before you believed that you would get it.

Senator SMITH. In the meantime the forfeiture would go on?

Mr. FORRES. Absolutely.

Senator SMITH. Were you at Cuatro Cienegas when Mr. Carranza recently visited his old home?

Mr. FORRES. I was there.

Senator SMITH. The report came out that he went back in peace to his home, I believe. Were you there?



Mr. FORRES. Yes, sir; the Mexico City papers, all of the morning papers are Government organs, all of them controlled by the Carrancistas, and they came out in glaring headlines telling how peaceful things were in the Republic. They said, in order to illustrate, here is our president going up into the wilds of Coahuila to visit his ranches with only 400 men. He had 7,000 men more scattered all over that country.

Senator SMITH. Did you notice his train in which he came?

Mr. FORRES. Yes, sir.

Senator SMITH. How was that equipped?

Mr. FORRES. Sumptuously; they had everything in the world that a person could think of wanting, and in the little towns all that a person could see on every hand was destitution.

Senator SMITH. As to the armor or soldiers on the train——

Mr. FORRES. Well, the soldiers—the armored trains would either go in front or behind the presidential train. The presidential train was the train that Don Porfirio had during his régime.

Senator SMITH. Then the peaceful trip, you say, going into the wilds of the desert with 400 soldiers turned out to be fully 7,000?

Mr. FORRES. At least 7,000. He had every general from all over the Republic there with him.

Senator SMITH. That is, that was under his control?

Mr. FORRES. That was under his control. Why, if he had gone up to Cuatro Ciénegas with 400 men and Villa had known it, he would have taken him into the wilds of Sonora and held him as a hostage.

Senator SMITH. At least, he did not attempt to go there?

Mr. FORRES. No; not with 400 men; and he won't go anywhere with 400 men.

Senator SMITH. What chances do you see, looking over the country as much as you have; are the conditions improving down there?

Mr. FORRES. Oh, my ——! It is absolutely unsafe for a person to travel in any part of the Republic. For instance, their best train, the train that they boast of, is a train running from Laredo to Mexico City. This train gets into Saltillo about 8.30 at night and is held there until about 3.30 the next morning, because they are afraid to run from Saltillo to San Luis on account of the rebels blowing up the trains, and the train coming north from Mexico City is held at San Luis from 8 o'clock until 3.30 in the morning on account of fear of the rebels blowing it up going north.

Senator SMITH. The conditions then, you say, are just as bad as ever, as far as peace is concerned? These outrages that are committed there, are they confined to anybody or is it just recklessness, lawlessness, and disorder against everybody?

Mr. FORRES. No; there is not a feeling of animosity in general against foreigners, but of the Carrancistas against the Americans. You have not heard of any Germans being killed in the west part of the district in the Palaez neighborhood, nor any English; whenever you hear of some one being butchered, it is one of the Americans working for some one of the companies there. Six weeks ago I was all through the Tuxpam region. I went through the oil fields and got photographs to substantiate it. I happened to be at this little place of Agua Dulce, where Bowles and Rooney were killed, a couple of weeks ago. I was there about six weeks ago walking all over that country.

Senator SMITH. Who has charge of it, or control of it?

Mr. FORRES. The Carrancistas. There are no followers of Palaez in that district at all. The followers of Palaez are farther west along the line of the State of Hidalgo.

Senator SMITH. How did you go through without any molestation?

Mr. FORRES. God sometimes does wonderful things.

Senator SMITH. You think it was a sort of providence?

Mr. FORRES. Yes, sir. I would not take the trip again, not through that section.

Senator SMITH. From your knowledge of the Republic there, and your long experience, what authority has Carranza over the Republic of Mexico?

Mr. FORRES. Mr. Carranza has control of the cities, but the country around the cities he does not.

Senator SMITH. How do you account for this; do the outsiders have any necessity for taking possession of the cities?

Mr. FORRES. No; the outsiders, as a general rule, live off of the tribute that the ranch owners give them; the majority of the ranch owners and farmers are all in sympathy with the rebels.

Senator SMITH. Do you know President Carranza personally?

Mr. FORRES. I have known of Carranza for a great many years. I have never had any personal desire to know him, because I know of him. I have never asked favors of the Carrancistas either directly or indirectly, nor any other régime.

Senator SMITH. You have your reasons for that?

Mr. FORRES. Yes, sir. I do not want to be under any obligations to any faction in Mexico.

Senator SMITH. Do you know Mr. Gonzales—Gen. Gonzales?

Mr. FORRES. Gen. Pablo Gonzales? We all know of him around Monclova; yes.

Senator SMITH. How about him as to keeping order?

Mr. FORRES. It is impossible; it means the same old crowd, in the same old place. If either Pablo Gonzales or Bonillas are elected, it means the rule of Carranza. When I was at Cuatro Ciénegas we knew two months before anything was given out that Bonillas was the candidate selected by Carranza.

Senator SMITH. He was the personal representative of the Carranza government at Washington?

Mr. FORRES. Yes, sir; ambassador.

Senator SMITH. Ambassador there. How is Obregon; is he also a candidate for the Presidency?

Mr. FORRES. He is; yes, sir.

Senator SMITH. Who is he supposed to represent; is he a Carrancista?

Mr. FORRES. He was; he was the prime reason of Carranza being President of the Republic—he and Villa—but after he got seated he treated them as he has done everyone else; he kicked him out. Obregon has now launched an independent campaign. He has never said anything against Carranza. The only thing Carranza can say against him is now he is affiliated with the rebels.

Senator SMITH. Running against Carranza?

Mr. FORRES. Yes.

Senator SMITH. Have you a passport to go back to Mexico?

Mr. FORRES. Yes, sir.

Senator SMITH. Do you expect at some time to go back?

Mr. FORRES. It would be impossible for me to go back.

Senator SMITH. Why?

Mr. FORRES. Well, I noticed in the paper the other day that the Mexican consul had received instructions from Medina, at Mexico City, not to visé any passports.

Senator SMITH. To whom?

Mr. FORRES. To everyone testifying before your committee.

Senator SMITH. Anyone who comes before this committee of the United States Senate?

Mr. FORRES. Yes, sir.

Senator SMITH. To give evidence?

Mr. FORRES. Here is my passport with the visés [handing passport to Senator Smith].

Senator SMITH. Anyone coming before this committee, that they will not visé their passports to return to Mexico?

Mr. FORRES. Yes, sir.

Senator SMITH. In order to return, this passport that I have in my hand, of yours, I notice the number is 38933—in order to return to Mexico you would have to have this viséd by the consul here, I understand?

Mr. FORRES. Yes; either here or at Brownsville.

Senator SMITH. Or wherever you leave the country?

Mr. FORRES. Wherever I happen to leave; yes, sir.

Senator SMITH. Have you presented that for visé?

Mr. FORRES. No, sir; because they know me all along the border and they have never asked me; in fact, they have not viséd my passport for several months, because I am so well known.

Senator SMITH. Are you going to present this?

Mr. FORRES. Oh, I will have to, because I have all of my maps and one thing and another in Matamoros, that I will want to get to take to Brownsville.

Senator SMITH. So your interests there, what you have left in Mexico, you have to go back to take care of, as I understand?

Mr. FORRES. No; I can only stand on the American side and look across.

Senator SMITH. I mean, that is your purpose—to try to get back?

Mr. FORRES. Yes, sir; to protect my interests.

Senator SMITH. Well, will you let me know, or the committee, the effect of the refusal to?

Mr. FORRES. With pleasure; yes, sir.

Senator SMITH. Will you let us know the reasons assigned for not doing it?

Mr. FORRES. Yes, sir.

Senator SMITH. Have you ever taken any pictures of the conditions down there?

Mr. FORRES. Yes, sir; I have got a number of photographs of the different parts of the country, but I gave the most of my pictures away; I have the original films with me.

Senator SMITH. You have the original films?

Mr. FORRES. Yes, sir.

Senator SMITH. Have you any objection to our using them?

Mr. FORRES. Absolutely none; they are at your disposal.

Senator SMITH. All right; I would like to have them after they are developed. Have you ever seen the order of which you speak prohibiting the visé of passports of anyone who appeared before this committee to testify?

Mr. FORRES. I read in the paper of yesterday that order; I have not seen it; no, sir.

Senator SMITH. I have what purports to be a translation of this telegram.

Mr. FORRES. I would not be surprised, because I saw a gist of it in the Mexico papers before leaving Mexico.

Senator SMITH. Signed by the subsecretary of relations, Hilario Medina?

Mr. FORRES. Yes, sir.

Senator SMITH. I believe I will just ask the secretary to insert this order in the record. I want it proved as being a correct translation by some one who knows it is, and then I will have it inserted.

Mr. FORRES. I want to kind of give you an idea of the way things are down in Mexico City. There is an American by the name of Ryan who has been down there about five weeks. He doesn't speak a word of the language; he has organized what he calls the Ryan-Soteel Oil Corporation. Now, this party is there, he has been in Mexico City about five weeks, he doesn't speak a word of the language, and he has organized a corporation with Pablo Gonzales and this man Soteel, and has annual passes for him and his party to ride all over the Republic, and has been made assistant oil inspector for the Mexican Government. Now, he and a great many other Americans who have some mercenary interests will send out wonderful reports about how peaceable conditions are in Mexico. Among others, there are some people living in San Antonio who have private franchises for running special trains in the Republic, but the most pernicious of all is a little organ published in Mexico City by a man by the name of George F. Weeks, circulated freely all over the Nation, telling how peaceable things are all over Mexico, and some party who is ignorant of the conditions in general will buy this little magazine, and on the strength of it go down into Mexico and maybe lose his life. He is in the employ of the Mexican Government, of the Carranza government, and has been for a number of years.

Senator SMITH. The committee has seen evidences of an extensive propaganda as to peace and quiet through the Republic of Mexico, and, as you say, it is through these instrumentalities that you have mentioned that most of that is published.

Mr. FORRES. To give you an illustration, yesterday evening, leaving Brownsville, the Brownsville Herald, the afternoon paper, came out and said that this meeting of yourselves should be suppressed inasmuch as Mr. Cabrera had invited Senator Fall to go into Mexico and look conditions over, and he didn't see fit, etc., and so on, but you can absolutely believe this, that whenever you see an American or any American organ supporting the Carrancistas they are getting something out of it.

Senator SMITH. What is the name of that Weeks publication?

Mr. FORRES. The Mexican News Bureau.

Senator SMITH. That is published in the City of Mexico?

Mr. FORRES. Mexico City; yes, sir.

Senator SMITH. Who is Weeks?

Mr. FORRES. Why, Weeks at one time had a little candelilla factory at Cuatro Cienegas.

Senator SMITH. What nationality is he?

Mr. FORRES. He is an American.

Senator SMITH. Who is connected with this man Weeks in that publication, do you know?

Mr. FORRES. He has two or three other Americans, but the proposition is financed directly by the Carrancistas.

Senator SMITH. Do you know of any other American in connection with Weeks in the publication?

Mr. FORRES. No, sir; I do not.

Senator SMITH. In the preparation of the paper, etc.?

Mr. FORRES. No; because I never went around his plant. His plant was right near the hotel where I stopped; I stopped at the Cosmos, and his little plant was right near it. Now, another thing, you hear a great many of the missionaries and the preachers, emissaries of the different religious interests that go into Mexico and come out and tell you what a wonderful man Mr. Carranza is.

Senator SMITH. What hope does the American see, the man experienced in Mexican affairs; what hope do you see of final peace?

Mr. FORRES. There is no peace unless we determine upon some man that is actively against the Carrancistas and support him to go in there and organize all of the rebel bands and make peace in the country.

Senator SMITH. That will do, unless you have something else.

Mr. FORRES. No; I have not.

Mr. JACKSON. Will you be kind enough to leave these negatives?

Mr. FORRES. Yes, sir.

Mr. JACKSON. I will have them printed and return them to you.

Mr. FORRES. That is perfectly all right, sir.

#### TESTIMONY OF ARTHUR GRAHAM.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

Mr. JACKSON. State your name.

Mr. GRAHAM. Arthur Graham.

Senator SMITH. I hand you, Mr. Graham, a copy of a telegram, in Spanish, signed by Hilario Medina, touching the viséing of passports into Mexico, especially against any that have appeared before this committee as a witness. I will ask you whether or not this is the paper?

Mr. GRAHAM. That is the paper.

Senator SMITH. Where did you get it?

Mr. GRAHAM. Consul De la Mata gave it to me.

Senator SMITH. As an order coming to him?

Mr. GRAHAM. Yes, sir.

Senator SMITH. And who translated it, if you know?

Mr. GRAHAM. It was translated by one of the men in our office first, and later by one of your committee's attachés.

Senator SMITH. I will find out who that is; that is all.

## TESTIMONY OF CAPT. GEORGE E. HYDE.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

Senator SMITH. Capt. Hyde, you understand the Mexican language?

Capt. HYDE. Yes, sir.

Senator SMITH. Are you a competent translator?

Capt. HYDE. I consider myself so; yes, sir.

Senator SMITH. Do you know whether you are or not?

Capt. HYDE. Yes, sir; I am.

Senator SMITH. You are a competent translator of the Spanish, as I understand it?

Capt. HYDE. Yes, sir.

Senator SMITH. Will you look at the article just shown you, just identified by the witness last on the stand, and say whether the copy there is a correct translation of this Spanish telegram?

Capt. HYDE. I have already compared them, sir, and it is a true translation.

Senator SMITH. Now, I will ask that to be put in the record.

(The telegram identified by the witness, Arthur Graham, and ordered by the committee to be incorporated into the record, is as follows:)

[Translation of telegram.]

MEXICO, D. F., January 17, 1920.

MEXICAN CONSUL, *San Antonio, Tex.:*

Some Mexicans have been called to make declarations before the so-called committee of investigation of the Senate of the United States and whether due to their ignorance of what the procedure of this committee signifies for Mexico, or because of any other motives, they have appeared to make them. Wherefore the department of foreign relations believes it opportune to call to the attention of all Mexicans residing in the United States, and of the public in general, the true character of this committee and what it signifies for Mexico from the international point of view.

The so-called committee of investigation of the Senate has a tendency to set itself up as a tribunal for the purpose of passing judgment on the Mexican Republic as a free and independent nation and respecting questions which are the exclusive function of its internal government. Neither the Mexican Government nor any public official nor any private individual resident in the territory of the Republic or outside of it may nor should recognize the jurisdiction of authority on the part of this committee to carry on this sort of investigation, in view of the fact that the Mexican Republic in international law can not be judged in any form and the responsibility for the acts of its governments or of their representatives are subject to other rules than those which govern the trial of a private individual. These rules can not be the same as those which involve an entire people whose majesty, whose honor, and whose dignity should be scrupulously respected by all the other peoples of the earth.

The so-called investigating committee, furthermore, with its procedure, offers the opportunity for acts which are in reality hostile to a country which like Mexico maintains relations of friendship with the United States and it is a cause of offense to the good name and the good reputation of Mexico, since in view of the facilities which this committee offers to the enemies of the Republic they incessantly calumniate her and offend her prestige and moral dignity.

No Mexican worthy of the name should lend himself in contributing to these acts which are hostile and whose tendency is to prepare the public opinion of the United States for certain propositions which no one ignores. As a matter of fact, the interventionist elements in that country have decided upon the formation of this investigating committee of the Senate and its object is to take advantage of the series of observations which are collected by this committee against Mexico in order to make notorious the necessity of intervening in our interior affairs.

The Mexicans who have assisted with their declarations to bolster this information which in time will serve as a base for the commission of an attack against the Republic unquestionably commit the crime of treason to the fatherland and it is the desire of this department to warn them publicly so that in the future they may not appear before this committee which has no power at its disposal to oblige a foreign citizen to testify against his own country and in the remote event that a Mexican should be subject to annoyance for having refused to testify before a tribunal whose power is not recognized by any law of the United States nor any principle of international law, he should suffer these annoyances rather than fall in the first duty which he has, to respect and cause the good name of his country to be respected in any part of the world.

It is easy to understand from another point of view that this committee is not inspired by any feeling of friendship toward Mexico, but that, on the contrary, its acts are dictated by an open hostility to the present laws and institutions of our country.

The Mexican who knowing that this committee is functioning in this way and who in spite of that fact assists it in carrying out its work, contributes notably to the development of prejudices which may arise from the obstinacy of this committee in delving into questions which are the exclusive functions of the interior government of Mexico and the determination of the government to not permit the good name of the Republic to be tarnished.

Bearing the above in mind, you are directed to bring to the attention of the Mexican colony residing in that place through such means as you may consider efficacious the following instructions:

"Every Mexican who receives an order to appear before the so-called committee of investigation of the American Senate to testify about facts bearing on Mexico should answer refusing to recognize the authority or jurisdiction of that committee to have knowledge of affairs bearing on the Mexican Republic, and should flatly refuse to give such testimony."

You will advise the Mexican consul of the locality or our embassy in Washington of the aforesaid order, so that the consuls or the embassy may carry out the instructions which they have received from this department. Should any Mexican be arrested or suffer any other penalty for refusing to testify, he should avail himself of all resources authorized by the laws of the United States to oppose it and should make an immediate report of his arrest or the annoyance, should he suffer from this cause, to the Mexican consul or to the embassy, in order that the corresponding representations may be made through diplomatic channels.

Mexican law considers that the crime of treason is committed, article 1071 of the Penal Code, "He who makes an attack against the independence of the Mexican Republic, its sovereignty, its liberty, or the integrity of its territory, if the offender is a Mexican by birth or by naturalization." And article 1090 of the same code provides: "The Mexican who by acts not authorized nor approved by the Government provokes a foreign war against Mexico or causes it to be declared or exposes the Mexicans to suffer annoyances and acts of retaliation, shall be punished by four years' imprisonment."

HILARIO MEDINA.  
*Subsecretary of Relations.*

(Thereupon, at 11.45 o'clock a. m., the committee recessed until 2.30 o'clock p. m. of the same day.)

#### AFTER RECESS.

Senator SMITH. The committee finds that with the witnesses now to be examined we can facilitate matters by ascertaining what they know this evening and proceeding with our work to-morrow morning, with the hope of expediting it that way.

In the meantime I would like before the final adjournment to order expunged from the record as taken the statements touching the personal morality of the President of the Republic of Mexico, and also his general, Gonzales, because that is not the purpose of the com-

mittee to go into any such question, and it was not in response to any question presented to the witness. I would ask also of the press about giving any notoriety to it, out of the common harmony between nations ostensibly at peace, that no publicity be given to the mere declamations of the witness along the lines that I have suggested. If the reporters will be good enough to hand to the secretary of this committee the transcript of the record, he will indicate to them the point that I wish to have expunged from the record.

We will meet to-morrow morning; I expect half past 10 o'clock would be as early as we could get ready. Much obliged.

(Thereupon, at 2.45 o'clock p. m., the committee recessed until Thursday, January 22, 1920, at 10.30 o'clock a. m.)





# INVESTIGATION OF MEXICAN AFFAIRS.

THURSDAY, JANUARY 22, 1920.

## UNITED STATES SENATE, SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS.

The subcommittee met pursuant to the call of the chairman at 10.40 o'clock a. m. in the pink room of the Gunter Hotel, in San Antonio, Tex., Senator Albert B. Fall presiding.

Present: Senators Fall (chairman) and Smith; Dan M. Jackson, Esq., clerk of the subcommittee.

### TESTIMONY OF JOHN A. VALLS.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Will you please state your full name, Judge?

Mr. VALLS. My name is John A. Valls.

The CHAIRMAN. Are you an American citizen?

Mr. VALLS. Yes, sir; I am.

The CHAIRMAN. Native born?

Mr. VALLS. No, sir.

The CHAIRMAN. Where were you born?

Mr. VALLS. I was born at the mouth of Rio Grande, but my father was born in Spain, and when I was two months old my parents moved to Brownsville, Tex., and in 1876 my father received his final papers in the Federal court in Brownsville.

The CHAIRMAN. Where have you lived the greater part of your life?

Mr. VALLS. With the exception of seven years of my life that I spent at the University of Virginia and other American universities, I have spent all of my life on the Texas border.

The CHAIRMAN. On the American side?

Mr. VALLS. On the American side of the Rio Grande.

The CHAIRMAN. What is your profession?

Mr. VALLS. I am a lawyer. I have been district attorney of the forty-ninth judicial district of Texas since 1902.

The CHAIRMAN. You are still the district attorney in the forty-ninth district?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Are you familiar with the Spanish language?

Mr. VALLS. Yes, sir; I am.

The CHAIRMAN. Have you been interested in and made a study of Mexican history and laws and customs?

Mr. VALLS. Since my earliest boyhood I have taken a lively interest in Mexican politics and in Mexican history.

The CHAIRMAN. And Mexican law?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Have you been familiar with the Mexican people during your life on the border of Mexico?

Mr. VALLS. Yes, sir. I have known a great many of the most prominent men of Mexico, especially during the administration of President Diaz—President Diaz, Manuel Gonzales, Ramon Corral, Jacinto Trevino, and a great many others.

The CHAIRMAN. What were your personal relations with Porfirio Diaz during his lifetime, or from 1878 until 1911?

Mr. VALLS. Senator, will you allow me to explain that in my own way?

The CHAIRMAN. I will be glad to have you do it, sir.

Mr. VALLS. Because I know that my statements will be misinterpreted and distorted in certain quarters. Some of my nearest and dearest friends are of Mexican extraction. There is no truer or nicer gentlemen than the cultured, educated Mexican, and the really refined Mexican woman is a glory to her sex. The Mexican people of the border have been true to me and I will be true to them. I wish for them all the blessings of a good and stable government, and God forgive me if I for one moment forget the best interests of the Mexican people. Ever since my earliest boyhood I have had a most affectionate regard for Porfirio Diaz; you might call it a filial affection. In 1893, when I was struggling hard in the practice of my profession, Porfirio Diaz surprised me by appointing me Mexican consul in Brownsville, Tex., of his own initiative and without any solicitation on my part. The appointment paid a handsome salary and from a financial point of view it was a tempting offer; but I have always been so thoroughly American that I declined the offer and, American as I am, and the cultured as I was in the purest principles of American liberty, I am proud to say, Senator, that the friendship of Porfirio Diaz for me is one of the proudest and most tender recollections of my life. Will you permit me to read you, Senator, a letter President Diaz wrote to me when I declined the consularship.

The CHAIRMAN. I will be glad to have you do it.

Mr. VALLS. I was apprehensive it would displease President Diaz, and I wrote him as nice a letter as I knew how. The answer is in Spanish, and I will translate it as I go.

MEXICO, December 14, 1893.

Mr. JOHN A. VALLS,

*Laredo, Tex.*

ESTEEMED FRIEND: I have read the contents of your letter of the 7th instant and I give you my most sincere thanks for the explanations which you kindly make me, and I advise you in return that you have much reason for not accepting the consulship in Brownsville, which fact does not offend me, because indeed in the place where you are now established, you are rendering me friendly and important service.

Your very affectionate friend and servant,

PORFIRIO DIAZ

When he was struggling hard against Madero, Senator, I wrote him a letter and asked him please not to give up; that he would win the battle yet. And in order to show you how that great heart loved

the Mexican people, this is what he replied (it was before he left Mexico):

MEXICO, April 29, 1911.

Mr. JOHN A. VALLS,  
*Laredo, Tex.*

ESTEEMED FRIEND—

Among other things he says:

You may rest easy that this government, when it treats with the rebels, will not for one moment lose its decorum, and the only concessions that I grant will be made solely to avoid the effusion of blood.

Your affectionate friend and servant,

PORFIRIO DIAZ.

My relations with him were very close, Senator, for many years.

The CHAIRMAN. Right here may I inject: You are elected by the popular vote, to your position as district attorney of the Forty-ninth district?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Of what blood are the majority of the voters of the Forty-ninth District?

Mr. VALLS. Of Mexican extraction, and whatever political per ferment I have, Senator, I owe principally to those people.

The CHAIRMAN. In your official capacity as district attorney you have had more or less to do with the international or border disturbances, complications, and the troubles since the outbreak of the Madero revolution, I presume?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Have there been, to your knowledge, any disturbances on the American side of the boundary line, due to the disturbed conditions in Mexico?

Mr. VALLS. Yes, sir. If you will allow me to relate them now?

The CHAIRMAN. I will be very glad to have you, just in your own words. Judge, give a history of such troubles, as they came under your observation, and the causes of the same?

Mr. VALLS. In February, 1915, I first heard of the plan of San Diego. To me it appeared so visionary and ridiculous that I paid no attention to it. Subsequently, on the 10th day of April, I discovered that a branch of that organization existed in the city of Laredo. I had in my possession the minutes of that order. I communicated that fact to a certain officer, with a request that he assist me.

The CHAIRMAN. An American officer?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Military?

Mr. VALLS. No, sir.

The CHAIRMAN. Civil?

Mr. VALLS. Yes, sir; and through his indiscretion it was discovered that we had learned of this order. The members were all strangers to Laredo, and they immediately left the city. After that, of course, I kept a careful watch on matters along the border. Some time in June of 1916 Dr. Thompson, a dentist in Laredo, came to my office at night and gave me this letter, addressed to Dr. J. K. Thompson, dentist, Laredo, Tex. Inside of this envelope was a smaller one addressed to Mr. John Valls, lawyer, Laredo, Tex.

The CHAIRMAN. What was the date of that letter?

Mr. VALLS. June 9, 1916. The day after I received this letter, or the morning after, I received information that a band of outlaws had attempted to burn the bridges and cut the telegraph wires at Webb Station. This letter was written from Monterrey, and it predicted that fact. Among other things, he says:

I am not a prophet, or within the next few days there will be some people who will burn bridges on the American side of the river, under the different names of Japanese, Texans, I. W. W.'s, or intervention in Mexico. God grant that that great country may soon remedy these evils.

Of course, the name that was signed to it wasn't the name of the real writer of the letter.

The CHAIRMAN. You are positive that another name was signed?

Mr. VALLS. Yes, sir.

The CHAIRMAN. The writer didn't want his identity known?

Mr. VALLS. He says here after a while he will let me know who he is. Then a few days after receiving this letter the Laredo Auto Sales Co. brought to my office this large envelope [exhibiting an envelope]. And in this one there was found a smaller one addressed to Lawyer John Valls. The date of this letter is Monterrey, June 16, 1916. The day after the assault was made on the American soldiers at San Ignacio. Among other things he says:

In this city for nobody was it a secret that the authorities were preparing these outlaws to go into Texas and burn bridges and to interrupt the traffic, nor that De la Rosa and his companions might commit all kinds of depredations in the southern part of Texas. Whom can you ask that does not know that on the plaza, in streets, in the theaters, even in the very offices of the Carrancista officials, it was publicly stated that within a few days this number would be increased and all traffic between San Antonio and Laredo would be interrupted. De la Rosa publicly organized his men in Victoria, Tex., and so on.

Very well. I communicated the fact to the officials, but that very morning the assault was made at San Ignacio. In that case, Senator, Lieut. Kyle Rucker, of the Fourteenth Cavalry, was stationed at San Ignacio, Tex., in Zapata County, about 45 miles down the river from Laredo. That afternoon he went across the river into Mexico and conferred with Federico Gutierrez Zapata, who was the Carranza commander in San Ignacio, Mexico. He informed this Carranza commander that this band had left Jarita for the Texas border. The Carranza commander assured Lieut. Rucker that he would send some picked men to intercept these bandits, and that very night Federico Gutierrez Zapata, the Carrancista commander, was the guide that led the attacking force that assaulted the American soldiers, and Federico Gutierrez Zapata to-day is holding a commission in the government of President Carranza, in the city of Nuevo Laredo, Mexico. In that fight several of the American soldiers were killed in their tents. The fight lasted a short while, and the Mexicans returned to Mexico. Col. Cruz Ruiz and Col. Frias were the officers who commanded that band that consisted of about 75 men. They had bombs, dynamite, hand grenades, and were otherwise well equipped.

Senator SMITH. Senator, permit me to ask you there: This assault was made on a garrison of American troops?

Mr. VALLS. Stationed at San Ignacio, in Zapata County, Tex.

The CHAIRMAN. All right.

Mr. VALLS. The evidence of these men—four of these men were indicted in Webb County, Tex. I prosecuted those four men, and the jury gave each one of them the death penalty. I also prosecuted the men who were arrested for attempting to burn the bridges and for attempting to cut the telegraph wires at Webb Station. The men who made the attempt to burn the bridges had in their possession all the implements to cut wires; they had coal oil to burn the bridges with; and the evidence in that case, Senator, established this fact: That Niceforo Zambrano, who was then the treasurer general of Mexico, and who subsequently became the governor of the State of Nuevo Leon, recruited some of these men in the City of Mexico, and Niceforo Zambrano, together with a tall man—a tall, slender man, dressed in a brown suit—his name I have never been able to discover—Niceforo Zambrano and this Mexican general left the City of Mexico in a special car with these men for Monterrey, and at Monterrey they were taken to a hotel. There other men were recruited. Niceforo Zambrano, the treasurer general of Mexico, Col. Leocadio Fierros, of the Carranza Army, accompanied these men to the railroad station, and there, amid the acclamations of the people, in three railroad cars, these men openly left the city of Monterrey for Jarita. These things were done with the knowledge—this is a fact, Senator, the evidence shows it—these things were done with the knowledge and consent and the approbation of the Carranza government, and not a finger was raised by that government to frustrate this cruel and murderous mission—murderous, Senator, because the Carranza commander, after conferring with Lieut. Kyle Rucker, assured him that he would intercept these bands, and instead of doing that, the Carranza commander led these troops in the assault that killed American soldiers at San Ignacio.

The evidence also shows that the men who burned the bridges at Webb station publicly consorted with the Carranza troops at Hidalgo in Mexico. These men, some of them, were wearing the uniform of the Carranza army. Some of them had commissions in the Carranza army. Well, the case was appealed to the court of criminal appeals, and the court of criminal appeals decided that war existed between the United States and Mexico and that these men were prisoners of war. I then delivered the four men to Col. Ferguson of the Twenty-seventh Infantry at Laredo, Tex.; he in turn delivered them to the Mexican consul, and the Mexican consul escorted these four men at Nuevo Laredo, where they were acclaimed as heroes by the populace of that city.

The CHAIRMAN. That was in Mexico?

Mr. VALLS. Nuevo Laredo, Tamaulipas, Mexico. That is, in a few words, the history of that event.

The CHAIRMAN. What is the title of that case, the appeal to the supreme court, do you recall?

Mr. VALLS. Arce versus the State.

The CHAIRMAN. Jose Antonio Arce et al.?

Mr. VALLS. Jose Antonio Arce et al. versus the State.

The CHAIRMAN. You are familiar with the decision of the court; you have stated that the decision was that a state of war existed be-

tween the United States and the Carranza or Mexican Government at that time?

Mr. VALLS. Yes, sir.

The CHAIRMAN. The Carranza government was in authority in Mexico?

Mr. VALLS. It was.

The CHAIRMAN. And the men who had come across the river attacked our people on Texas soil and murdered them were freed of the charge of murder by the supreme court of the State of Texas, or the court of criminal appeals of the State of Texas, upon the grounds that the evidence disclosed that a state of war existed between the Carranza government and the American Government, and therefore these men, as soldiers, were not guilty of murder?

Mr. VALLS. Yes, sir.

The CHAIRMAN. They having obeyed the orders of their superiors?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Judge, is it generally known throughout the State, do you think, that this decision was made upon this ground; do you think the people of the State of Texas generally have understood it?

Mr. VALLS. No, sir; and I was surprised that more publicity has not been given that decision.

The CHAIRMAN. I may state to you that it was not even understood in the city of Washington amongst some of our Federal authorities, because Carranza had prior to that time been recognized by this Government. Judge, do you know Mr. Mendez, who has been postmaster general of Mexico?

Mr. VALLS. Mario Mendez?

The CHAIRMAN. Yes.

Mr. VALLS. Yes, sir; I am well acquainted with him, he is in Matamoros.

The CHAIRMAN. I stated his official position approximately correctly, did I not, that he is what would correspond to our Postmaster General?

Mr. VALLS. The last I heard of the general he was the director general of the telegraph.

The CHAIRMAN. Possibly I was mistaken as to his exact position. Did any evidence develop in the trial of these cases connecting Mr. Mendez with this plan of San Diego in any way?

Mr. VALLS. Not that I recall.

The CHAIRMAN. We will have other evidence which will connect him.

Mr. VALLS. I wouldn't be surprised, because I know him very intimately and he has always been anti-American. Some things may have escaped my memory, Senator, in this matter, I don't know.

The CHAIRMAN. Now, the case that you have so lucidly explained was that of the State against Arce, and grew out of the San Ignacio raid?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Do you know of any other specific cases concerning these raids, with which you were connected?

Mr. VALLS. May I also tell you that in that raid the evidence showed that Col. Frias, of this band, crossed to San Ignacio that

afternoon and saw that there were 10 tents containing 4 soldiers each, 40 men. That night Col. Alonzo Gray—he was then Maj. Alonzo Gray—and Lieut. Sirmyer arrived with Troop I of the Fourteenth Cavalry on the way to the county seat, and they decided to spend the night at San Ignacio and that is how Lieut. Kyle Rucker happened to be reinforced, and these men in the company didn't know, they thought they only had to take 40 soldiers.

The CHAIRMAN. And the Mexicans had spied out the lay of the land and the men in the tents and knew approximately that he had only 40 soldiers, but fortunately these reinforcements came up and surprised the attacking force?

Mr. VALLS. And these men testified and the evidence showed that they were carrying out the plan of San Diego. Their purpose was to kill the American soldiers and take whatever they could lay their hands on and go into the interior of Texas and do likewise.

The CHAIRMAN. You had in your possession copy of this plan of San Diego, did you?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Will you examine this paper and state whether you can identify it as connected with this proposed plan of San Diego?

Mr. VALLS. I will also state, Senator, that this man Basilio Ramos who originated this plan, when he returned to Nuevo Laredo, Mexico, he was dined and wined by the government officials of that place.

Senator SMITH. You say he was the author of this plan of San Diego?

Mr. VALLS. Yes, sir; supposed to be the author. Yes, sir; I have seen this before, it is just like the one I have.

The CHAIRMAN. This is a copy then of the plan of San Diego under which these raids were made?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Mr. Clerk, read this into the record.

(Thereupon the clerk read into the record the copy of the plan of San Diego, which is as follows:)

PROVISIONAL DIRECTORATE OF THE PLAN (PLOT) OF SAN DIEGO, TEX., JANUARY 6, 1915.

We, who in turn sign our names, assembled in the revolutionary plot of San Diego, Tex., solemnly promise each other, on our word of honor, that we will fulfill, and cause to be fulfilled and complied with, all the clauses and provisions stipulated in this document, and execute the orders and the wishes emanating from the provisional directorate of this movement and recognize as military chief of the same Mr. Agustin S. Garza, guaranteeing with our lives the faithful accomplishment of what is here agreed upon.

1. On the 20th day of February, 1915, at 2 o'clock in the morning, we will rise in arms against the Government and the country of the United States of North America, one as all and all as one, proclaiming the liberty of the individuals of the black race and its independence of Yankee tyranny which has held us in iniquitous slavery since the remote times; and at the same time and in the same manner we will proclaim the independence and segregation of the States bordering on the Mexican Nation, which are: Texas, New Mexico, Arizona, Colorado, and Upper California, of which States the Republic of Mexico was robbed in a most perfidious manner by North American imperialism.

2. In order to render the foregoing clause effective, the necessary army corps will be formed under the immediate command of military leaders named by the Supreme Revolutionary Congress of San Diego, Tex., which shall have full power to designate a supreme chief, who shall be at the head of said



army. The banner which shall guide us in this enterprise shall be red, with a white diagonal fringe, and bearing the following inscription: "Equality and independence," and none of the subordinate leaders or subalterns shall use any other flag (except only the white flag for signals). The aforesaid army shall be known by the name of "liberating army for races and peoples."

3. Each one of the chiefs will do his utmost, by whatever means possible, to get possession of the arms and funds of the cities which he has beforehand been designated to capture, in order that our cause may be provided with resources to continue the fight with better success, the said leaders each being required to render an account of everything to his superiors, in order that the latter may dispose of it in the proper manner.

4. The leader who may take a city must immediately name and appoint municipal authorities, in order that they may preserve order and assist in every way possible the revolutionary movement. In case the capital of any State we are endeavoring to liberate be captured, there will be named in the same manner superior municipal authorities for the same purpose.

5. It is strictly forbidden to hold prisoners, either special prisoners (civilians) or soldiers; and the only time that should be spent in dealing with them is that which is absolutely necessary to demand funds (loans) of them; and whether these demands are successful or not, they shall be shot immediately without any pretext.

6. Every stranger who shall be found armed and who can not prove his right to carry arms shall be summarily executed, regardless of his race or nationality.

7. Every North American over 16 years of age shall be put to death, and only the aged men, the women, and children shall be respected; and on no account shall the traitors to our race be spared or respected.

8. The Apaches of Arizona, as well as the Indians (redskins) of the Territory shall be given every guaranty; and their lands which have been taken from them shall be returned to them, to the end that they may assist us in the cause which we defend.

9. All appointments and grades in our army which are exercised by subordinate officers (subalterns) shall be examined (recognized) by the superior officers. There shall likewise be recognized the grades of leaders of other complots which may be connected with this, and who may wish to cooperate with us; also those who may affiliate with us later.

10. The movement having gathered force, and once having possessed ourselves of the States above alluded to, we shall proclaim them an independent republic, later requesting (if it be thought expedient) annexation to Mexico, without concerning ourselves at the time about the form of government which may control the destinies of the common mother country.

11. When we shall have obtained independence for the Negroes, we shall grant them a banner, which they themselves shall be permitted to select, and we shall aid them in obtaining six States of the American Union, which States border upon those already mentioned, and they may form from these six States a republic, and they may therefore be independent.

12. None of the leaders shall have power to make terms with the enemy, without first communicating with the superior officers of the army, bearing in mind that this is a war without quarter; nor shall any leader enroll in his ranks any stranger, unless said stranger belong to the Latin, the Negro, or the Japanese race.

13. It is understood that none of the members of this complot (or any one who may come in later) shall, upon the definite triumph of the cause which we defend, fail to recognize their superiors, nor shall they aid others who, with bastard designs, may endeavor to destroy what has been accomplished by such great work.

14. As soon as possible each local society (junta) shall nominate delegates who shall meet at a time and place beforehand designated, for the purpose of nominating a permanent directorate of the revolutionary movement. At this meeting shall be determined and worked out in detail the power and duties of the permanent directorate and this revolutionary plan may be revised or amended.

15. It is understood among those who may follow this movement that we shall carry in a singing voice the independence of the negroes, placing obligations upon both races and that on no account will we accept aid, either moral

or pecuniary, from the Government of Mexico; and it need not consider itself under any obligation in this, our movement.

Equality and Independence.

SAN DIEGO, TEX., January 6, 1919.

(Signed)

L. PERRIGO, *President*.  
A. GONZALES, *Secretary*.  
A. A. SAENZ,  
E. CISNEROS.  
PORFIRIO SANTOS.  
A. S. GARZA.  
MANUEL FLORES.  
B. RAMOS, JR.  
A. G. ALMARAZ.

The CHAIRMAN. I notice a note attached to this document directed to Basilio Ramos, jr. Is this Basilio Ramos the man whom you say was acclaimed a hero on the Mexican side?

Mr. VALLS. Yes, sir.

The CHAIRMAN. This note directs his attention to a meeting held in Monterrey, Nuevo Leon, January 6, 1915, and states:

That the provisional directorate has deemed it proper to name you as a representative with full authority to organize lodges (junta), and give commissions to persons in cities which you may think proper, in the State of Arizona, New Mexico, Colorado, California, and Texas, as well as along the northern frontier of Mexico, in order that, by all means available to you, you may assist in the consummation of the plan of San Diego.

We extend to you this commission in order that you may be constant in your work, and that it may serve you as a credential and for identification to all concerned.

(Signed)

L. PERRIGO, *President*.  
A. GONZALES, *Secretary*.  
A. G. ALMARAZ.

The CHAIRMAN. Was this not in evidence in the trial of the Arce case?

Mr. VALLS. No, sir.

The CHAIRMAN. It did not come under your observation?

Mr. VALLS. Yes, sir. I forgot to say, Senator, that a flag was found in the assault of San Ignacio, and also at Webb station, that was borne by these bandits, that was identified as the flag of the plan of San Diego, a red flag with a white stripe.

The CHAIRMAN. Now, you have stated that the evidence in the trial showed that recruits for carrying out this plan were obtained in the City of Mexico, and other cities in Mexico, that men engaged in carrying out the plan in this State bore Carranza commissions as officers; that Niceforo Zambrano, of Mexico, was one of the leaders in recruiting men, and Isabel de los Santos, and others.

Mr. VALLS. Isabel de los Santos, I had forgotten that name. And after this decision was rendered by the court of criminal appeals, Niceforo Zambrano, before crossing into Texas, asked my permission, as he put it, whether he could come over or not. I told him unfortunately the court of criminal appeals said he could.

The CHAIRMAN. What position, if any, did he hold at that time in the Mexican Government?

Mr. VALLS. Governor of the State of Nuevo Leon.

The CHAIRMAN. Appointed by Carranza or elected?

Mr. VALLS. No; he was then appointed by Carranza.

The CHAIRMAN. Now, Judge, when this document first came to your attention, the evidence of this plan first came to your atten-

army. The banner  
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and independence  
use any other fla  
army shall be kno

3. Each one of them shall be required to get possession of the land which has been designated to them, and to use the resources to continue the work, being required to do so, so that the latter may be completed.

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11. When we shall grant them a banner, we shall aid them in order border upon those already States a republic, and a

12. None of the lead without first communicating mind that this is a war his ranks any stranger. or the Japanese race.

13. It is understood that (may come in later) shall defend, fail to recognize bastard designs, may encourage great work.

14. As soon as possible who shall meet at a time nominating a permanent meeting shall be determined the permanent directory amended.

15. It is understood and agreed that the Board shall carry in a singing voice the following resolutions upon both races and

SECRET OF THE MARINE VOL 12

1. SECRET - INFORMATION - REF. AND IN USE

...preposterous  
...Mr. Burns, who was then  
...Justice, say in a letter and I ex-  
...at the bottom of the thing is a  
...of information.

[illegible]

THE CHAIRMAN. Do you know Maurice Rodriguez?  
MR. TOLSON. No, sir; not personally.  
THE CHAIRMAN. Never saw him.  
MR. TOLSON. No, sir.  
THE CHAIRMAN. Have you ever heard him described?  
MR. TOLSON. No, sir; I don't remember.  
THE CHAIRMAN. You don't know whether he was dignified and

M. Valls. No, sir; I don't. Am the evidence, each  
br and out in answer to direct questions propounded by the vic  
the district judge himself.

THE CHAIRMAN. Was it carried to our Supreme Court?

M. VALLS. Yes, sir.

Mr. VALDES. I know from people who knew him that he was in the Carranza army. When he was killed he was wearing

The CHAIRMAN. Will Mr. VALLE be good enough to read the report of the committee?

Mr. VALLS. Yes, sir. If I may, I will ask the gentleman to state the date of the meeting.

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Mr. VALLS. Yes, sir.

Mr. CHAIRMAN. Do you know how many were in the raiding party?

Mr. VALLS. There were six; one of them testified that he had been a soldier under Gen. Torres in the City of Mexico in the Carranza era. Previous to that, Senator, there was a newspaper published in Laredo called El Progreso. That was financed by Mr. Carranza personally and notoriously known. It was conducted by him, controlled, and its policy conducted by the consul of Mr. Carranza in Laredo, Tex., a man named Melquiades Garcia. That paper, previous to these raids, was publishing articles of the most incendiary nature, and particularly assailing President Wilson, and hostile in every way to American interests. When I received these two letters the newspaper claimed that these letters had been written in Laredo, Tex.; that they were not genuine. That afternoon some American gentlemen of Laredo, Tex., tired of these incendiary editorials, the editor, Leo D. Walker, put him in an automobile, and escorted him to the bank of the river and told him to cross and never come back. Mr. Arredondo, who was then the representative in Laredo of the de facto Government—

Mr. CHAIRMAN. Eliseo Arredondo?

Mr. VALLS. Yes, sir.

Mr. CHAIRMAN. Now minister representing the Mexican Government in Madrid, Spain?

Mr. VALLS. That's the one. He complained to Mr. Lansing that Mexican citizens had been assaulted in Laredo, naming them, Leo D. Walker and Emeterio Flores, and that the American authorities had done nothing. Mr. Lansing complained to Gov. Ferguson and Gov. Ferguson sent the correspondence to me, and I sent a reply, substantially what I have stated just now, showing that one of them was an American citizen, Emeterio Flores, and setting out the circumstances under which Leo D. Walker was escorted to the bank of the river and told to cross, and that settled the matter.

Mr. SMITH. Judge, when you first heard of this plan of San Diego struck you, as you say, as so preposterous that you paid little attention to it. How long before you were convinced that there was really a purpose in it?

Mr. VALLS. On the 10th day of April following that.

Mr. SMITH. What caused you to believe it?

Mr. VALLS. Because I discovered that this lodge, a branch, you had been organized and was existing in Laredo, Tex.

Mr. SMITH. Any raids made in pursuance of this?

Mr. VALLS. Yes, sir; the raids we spoke of as having been made, by the American soldiers when they thought there was only one purpose.

Mr. CHAIRMAN. That followed much later.

Mr. SMITH. I am only speaking—what I am trying to get at, is I heard and I have heard evidence of the plan of San Diego, and I thought not only of the preposterous inability of carrying it out, but of the impossibility of developing whatever was done that was done, of the plan as to the invasion of Mexico from what you have seen since you were in San Diego, whether what you have

tion early in 1915, what impression did it make upon you as an officer of the law?

Mr. VALLS. To me it appeared so ridiculous that I paid no attention to it.

The CHAIRMAN. It appeared preposterous?

Mr. VALLS. Yes, sir; impractical. Maj. Burns, who was then a member of the Department of Justice, saw me in Laredo and I explained to him how he could get at the bottom of this thing in a confidential way, and I believe he has a great deal of information he can give you.

The CHAIRMAN. Now, do you know the details of the Webb raid?

Mr. VALLS. I also prosecuted those men, and they were given a term in the penitentiary. The evidence in that case shows that Niceforo Zambrano and Gen. Maurillo Rodriguez recruited these men and sent them to Jarita with instructions to go from there to Hidalgo, Mexico. There they conferred with the Carranza commander at Hidalgo. There they mingled with the customhouse officers of the Carranza government. They were given horses there. They crossed the river into Texas at that place, and they went on to Webb station. They were met by a posse and a fight ensued, and Lieut. Col. Villareal who was well known in Victoria, was killed. The others, four of them, were captured and they were given a term in the penitentiary. They were also carrying a flag.

The CHAIRMAN. Do you know Maurillo Rodriguez?

Mr. VALLS. No, sir; not personally.

The CHAIRMAN. Never saw him?

Mr. VALLS. No, sir.

The CHAIRMAN. Have you ever heard him described?

Mr. VALLS. No, sir; I don't remember.

The CHAIRMAN. You don't know whether he was slightly lame in one leg?

Mr. VALLS. No, sir; I don't. And this evidence, Senator, was brought out in answers to direct questions propounded by the court itself, by the district judge himself.

The CHAIRMAN. This case of Solis, and others whom you convicted?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Wasn't carried to the Supreme Court?

Mr. VALLS. No, sir.

The CHAIRMAN. And these people are still in the penitentiary?

Mr. VALLS. Yes, sir.

The CHAIRMAN. You say Lieut. Col. Villareal was killed? Do you know what service he was in?

Mr. VALLS. I know from people who knew him that he was an officer in the Carranza army. When he was killed he was wearing a uniform.

The CHAIRMAN. What uniform?

Mr. VALLS. They say, of the Carranza army.

Senator SMITH. Killed on the American side?

Mr. VALLS. Yes, sir; in Webb County.

The CHAIRMAN. You say they were met by a posse and a fight ensued? Of whom were the posse composed?

Mr. VALLS. Of civilians, of Webb County.

The CHAIRMAN. Texas?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Do you know how many were in the raiding party?

Mr. VALLS. There were six; one of them testified that he had been an officer under Gen. Torres in the City of Mexico in the Carranza army. Previous to that, Senator, there was a newspaper published in Laredo called *El Progreso*. That was financed by Mr. Carranza publicly and notoriously known. It was conducted by him, controlled, and its policy conducted by the consul of Mr. Carranza in Laredo, Tex., a man named Melquiades Garcia. That paper, previous to these raids, was publishing articles of the most incendiary nature, and particularly assailing President Wilson, and hostile in every way to American interests. When I received these two letters that newspaper claimed that these letters had been written in Laredo, Tex.; that they were not genuine. That afternoon some American gentlemen of Laredo, Tex., tired of these incendiary editorials, took the editor, Leo D. Walker, put him in an automobile, and escorted him to the bank of the river and told him to cross and never come back. Mr. Arredondo, who was then the representative in Washington of the de facto Government—

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Senator SMITH. What caused you to believe it?

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Mr. VALLS. Yes, sir; the raids we spoke of as having been made, firing on the American soldiers when they thought there was only forty there.

The CHAIRMAN. That followed much later.

Senator SMITH. I am only speaking—what I am trying to get at, the judge heard and I have heard evidence of the plan of San Diego, we thought nothing of it, only the preposterous inability of carrying it out. Then I am trying to develop whatever was done that looked like was in pursuance of the plan as to the invasion of America and whether or not from what you have seen since you have found out the plan of San Diego, whether what you have

detailed was not convincing to you that there was a real purpose in it?

Mr. VALLS. Certainly, all of these raids were in direct pursuance of that plan.

Senator SMITH. You think it was carrying out the plan?

Mr. VALLS. Yes, sir.

The CHAIRMAN. There was an indictment found in the United States District Court for the Southern District of Texas in 1915 against the parties signing this plan?

Mr. VALLS. Yes, sir.

The CHAIRMAN. The conspiracy continued, and the particular raids that you have referred to, Webb Station raid and San Ignacio raid, occurred in the early spring or summer of 1916?

Mr. VALLS. In June, 1916.

The CHAIRMAN. So that the matter of the formation of this conspiracy had reached such an extreme or such proportions that the indictment was found in the United States court against the parties on the 13th day of May, 1915?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Then these prosecutions took place, which you directed, following the raids in 1916?

Mr. VALLS. Yes, sir.

The CHAIRMAN. I notice that one of the names signed to this plan of San Diego is that of A. S. Garza. Was that Agustin S. Garza?

Mr. VALLS. Of San Diego, Tex., a school-teacher there.

The CHAIRMAN. Do you know him personally?

Mr. VALLS. No, sir.

The CHAIRMAN. Do you know whether he went at any time by any other name than that of Garza?

Mr. VALLS. Yes, sir; I found that out afterwards.

The CHAIRMAN. What was the name?

Mr. VALLS. Leon Caballo.

The CHAIRMAN. He is known in Mexico as Leon Caballo?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Do you know where he is now?

Mr. VALLS. About a month ago, I think it was, more or less, I was trying to find out where he was, and a friend of mine went to Nuevo Laredo to get the information, and he reported to me that Leon Caballo—that Agustin Garza—Leon Caballo, in the employment of the Carranza government, would be in Nuevo Laredo on the following Sunday.

The CHAIRMAN. Do you know what character of employment he has with the Carranza government?

Mr. VALLS. Not well enough, Senator, to tell you.

The CHAIRMAN. What is that information, if any, you have; is he a secret-service man?

Mr. VALLS. Yes, sir; in the confidence of Mr. Carranza.

The CHAIRMAN. Do you know Aguirre Berlanga, ministro de gobernacion?

Mr. VALLS. Ministro gobernacion?

The CHAIRMAN. Ministro gobernacion in the Carranza cabinet?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Did you ever know Manuel Ochoa in Mexico, at one time on Carranza's staff?

Mr. VALLS. No, sir.

The CHAIRMAN. You didn't know him? Do you know whether at any time Agustin Garza had an office at No. 17 Avenida Independencia in the City of Mexico?

Mr. VALLS. I don't know, only from hearsay, you know; I have not been in Mexico, Senator, since January, 1912.

The CHAIRMAN. Of course, as an official investigating these matters, why, you had to act upon information. Do you know, or did you ever know at any time, so-called Gen. Fortunato Zuazua?

Mr. VALLS. Yes, sir; knew of him.

The CHAIRMAN. What position, if any, does he hold in the Carranza government?

Mr. VALLS. He holds some prominent position; I don't know exactly what it is.

The CHAIRMAN. Do you know whether he is a native of the State of Nuevo Leon?

Mr. VALLS. I think he is; yes, sir; Nuevo Leon, Lampazos.

The CHAIRMAN. The family resided at Lampazos, State of Nuevo Leon. Did you ever hear, through the course of your investigations, of any connection of Fortunato Zuazua with carrying out of this plan of San Diego, by raising money or otherwise?

Mr. VALLS. Yes, sir; his name was frequently mentioned in the course of that investigation.

The CHAIRMAN. Do you know Gen. Nafarrate of the Mexican Army?

Mr. VALLS. Also by reputation very well; yes, sir.

The CHAIRMAN. Do you know what has become of him?

Mr. VALLS. He was killed at Tampico.

The CHAIRMAN. From information coming into your possession in connection with your official duties and investigations along the border have you any information as to the circumstances immediately surrounding or immediately preceding the death of Gen. Nafarrate, did you hear of any reason why he met his death?

Mr. VALLS. It was reported to me that he was assassinated by orders of President Carranza.

The CHAIRMAN. For what reason, if any?

Mr. VALLS. He knew the order that Carranza had given and interviews he had had with Carranza with reference to Americans and what he should do in this matter of the border raid.

The CHAIRMAN. That is, the plan of San Diego?

Mr. VALLS. The plan of San Diego, and he was about to divulge these things, and he was assassinated by a man sent there from the City of Mexico.

The CHAIRMAN. Do you know where his wife is?

Mr. VALLS. She was about to leave to come to the United States, whether she did or not—

The CHAIRMAN. She was residing for a time in the City of Mexico?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Did you hear that she claimed to have the original documents?

Mr. VALLS. Yes, yes.

The CHAIRMAN. Which her husband was going to divulge?

Mr. VALLS. Yes, sir; yes, sir.

The CHAIRMAN. Did you know Minister Acuna, of Mexico?



Mr. VALLS. By reputation; yes, sir.

The CHAIRMAN. Did you ever hear of him, Minister Acuna, in connection with the plan of San Diego?

Mr. VALLS. No, sir. You know, Nafarrate's name was mentioned there frequently, also in the course of this investigation of the San Ignacio raid.

The CHAIRMAN. Yes; he was directly connected, personally, with some of the recruits?

Mr. VALLS. Yes; sent some of the recruits to Monterrey, so they testified.

The CHAIRMAN. Did you know, or did you ever know Jacobo Ayala Villareal, connected with Gen. Zuazua, as his treasurer or in any capacity?

Mr. VALLS. Yes, sir; his name was also mentioned frequently in the course of that investigation.

The CHAIRMAN. As being connected with the carrying out of the plan of San Diego?

Mr. VALLS. Yes, sir; raising money for that purpose.

The CHAIRMAN. Do you know what position he had, if any, subsequent to the raids in this State?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Do you know whether he was at any time collector of customs under the Carranza Government at Naco, Ariz.?

Mr. VALLS. I don't remember it.

The CHAIRMAN. Do you know whether he is now in charge, or recently in charge of the office of Bienes Intervenidos at Matamoros—

Mr. VALLS. Yes, sir; I have heard of it.

The CHAIRMAN. Tamaulipas, Mexico?

Mr. VALLS. Yes, sir; I heard that recently.

The CHAIRMAN. Did you ever, in your investigations, in connection with this matter hear of a Jap commonly known as Mago?

Mr. VALLS. No, sir.

The CHAIRMAN. You didn't hear?

Mr. VALLS. No, sir.

The CHAIRMAN. Did you know, or did it directly appear in evidence in any of these cases that there were seven Japanese who swam the river at the attack of San Ignacio, and returned—

Mr. VALLS. They were called Japanese; yes, sir.

The CHAIRMAN. Do you know anything about the details, how they got back across the river after they were repulsed?

Mr. VALLS. No, sir.

The CHAIRMAN. You don't know whether they claimed that they swam under water and used canes for the purpose of securing air to enable them to swim?

Mr. VALLS. No, sir; I don't recall it.

The CHAIRMAN. We will develop that by other testimony. Did you ever know, or did Gen. Pablo Gonzales's name ever appear in any of your investigations, or did you hear of him in connection with the plan of San Diego?

Mr. VALLS. No, Senator; no.

The CHAIRMAN. That didn't appear from the evidence here?

Mr. VALLS. No.

The CHAIRMAN. I thought not; we will develop that a little later. Do you know what relation, if any, this Col. Maurillo Rodriguez who was connected with these raids—do you know the relationship, if any, existing between him and President Carranza?

Mr. VALLS. He remained on the border but a short while after that. I understand he went to the City of Mexico.

The CHAIRMAN. Do you know whether he was a nephew, or is a nephew, of President Carranza of Mexico?

Mr. VALLS. I heard that; yes, sir; I heard that.

The CHAIRMAN. You never heard of Gen. Pablo Gonzales having furnished Maurillo Rodriguez with arms and ammunition that he used in these raids in Texas?

Mr. VALLS. It was reported that somebody did in the City of Mexico; some general; they never gave me his name—simply gave me a description of what kind of a suit of clothes he was wearing.

The CHAIRMAN. Do you know the so-called Gen. Juan Barragan, the chief of staff to Carranza?

Mr. VALLS. I know of him; yes, sir.

The CHAIRMAN. Did you ever hear his name mentioned in connection with the San Ignacio raids?

Mr. VALLS. Yes, sir.

The CHAIRMAN. He is chief of staff of the Mexican army at this time?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Do you know anything about any family connection between Barragan and Carranza?

Mr. VALLS. Not well enough, Senator.

The CHAIRMAN. In your investigations here the name of this Jap—that this Jap was going by; that is, Pablo Nago—did not appear?

Mr. VALLS. No, sir; that I remember, Senator. So many of these details, you know, I don't remember them.

The CHAIRMAN. This man Mendez, whom we referred to a little while ago—the general in charge of the telegraph lines of Mexico—was Mario Mendez?

Mr. VALLS. Mario Mendez; yes, sir. He has several brothers in Mexico, who belong to the "Círculo de los Amigos," or Circle of Friends.

The CHAIRMAN. The Circle of Friends is the translation. Did you know Candido Aguilar, at one time minister of foreign affairs of Mexico?

Mr. VALLS. Carranza's son-in-law?

The CHAIRMAN. The son-in-law of Mr. Carranza?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Did any of the evidence which you had your attention called to connect Candido Aguilar with the raids?

Mr. VALLS. It did; yes, sir. It connected him very prominently with it, Senator.

The CHAIRMAN. You say it connected him very prominently?

Mr. VALLS. Yes, sir; his name appeared very frequently.

The CHAIRMAN. In what respect?

Mr. VALLS. That he was so bitterly anti-American, encouraging these things. I could remember these prominent names much better than the others. I was giving my attention always to bigger things, and I paid no attention to the small details.

The CHAIRMAN. Did you ever, during the course of your investigation, hear of any attempt of Mario Mendez or Candido Aguilar to secure the services of one Forseck to come to the United States during the war to dynamite certain places in the United States?

Mr. VALLS. I have heard that recently, sir; within the last six months; I heard it very frequently after that. Forseck lives in Webb County.

The CHAIRMAN. Did you ever know Garzaya Ugarte, private secretary to Gen. Carranza?

Mr. VALLS. No, sir.

The CHAIRMAN. Did you ever know of Luis de la Rosa in connection with these raids?

Mr. VALLS. Yes; I did.

The CHAIRMAN. Who is Luis de la Rosa?

Mr. VALLS. Well, he had a prominent part in those matters, and that commission that was found in the pocket of Jesus Cerda, one of the bandits who was convicted in Webb County, was sent by Luis de la Rosa and Col. Isabel de los Santos.

The CHAIRMAN. Was Luis de la Rosa ever wanted on this side of the border?

Mr. VALLS. Yes, sir; out of my district; yes, sir; Mr. Cliber's district.

The CHAIRMAN. Did you ever see De la Rosa?

Mr. VALLS. No, sir; I had that picture in evidence, or one just like it, in the trial of the Arce case.

The CHAIRMAN. This picture?

Mr. VALLS. Yes, sir.

The CHAIRMAN. It is testified to that that was the picture of De la Rosa. He was often found in company with Col. Estevan Fierros and his cousin, Leo Locadio Fierros.

Mr. VALLS. And with Niceforo Zambrano.

The CHAIRMAN. Now, what position does Niceforo Zambrano hold at this time under the Carranza Government?

Mr. VALLS. Up to a few months ago he was governor of the State of Nuevo Leon. I don't know that he is holding any position just now. Mr. Amaya, you know, Senator, Mr. Amaya is what is called *Introduccion de los Embajadores* in Mexico. He and Zambrano were very close friends. He lived in Laredo, Tex., for a while. I know him very well; he is very close to the President. His name was also mentioned very prominently in this plan of San Diego, and in these raids Manuel Amaya—excuse me—he is well known in San Antonio.

The CHAIRMAN. Do you know where Luis de la Rosa is supposed to be now?

Mr. VALLS. Recently, no, sir; I don't.

The CHAIRMAN. You don't know whether he is employed at Chapultepec, in Mexico?

Mr. VALLS. No, sir.

The CHAIRMAN. Did you ever read what is known as the Zimmerman note to Mexico?

Mr. VALLS. A long time ago I did, Senator.

The CHAIRMAN. During the war?

Mr. VALLS. Yes, sir.

The CHAIRMAN. In 1917? Did that note strike you as having any familiar sounds as compared with the plan of San Diego, the purported contents of the note?

Mr. VALLS. No, sir; I don't remember, I don't remember whether it impressed me that way or not.

The CHAIRMAN. You would recall what you read of it if it were called again to your attention at this time?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Do you recall having read at any time the note of June 20, 1916, of Secretary Lansing, Secretary of State of the United States, directed to Carranza, during the Pershing expedition in Mexico?

Mr. VALLS. I have read it; yes, sir.

The CHAIRMAN. You recall the strength of the arraignment of the Carranza government by Secretary Lansing in that note?

Mr. VALLS. Yes, sir.

The CHAIRMAN. You recall that Mr. Lansing spoke of de la Rosa and various raids, and the fact that the State Department evidence showed that the raiders had come to the border without being interfered with by Carranza and in fact had ridden on the official trains of the Carranza government?

Mr. VALLS. Yes, sir.

The CHAIRMAN. In connection with this testimony of Judge Valls the note referred to will be placed in the record.

(The note of Secretary Lansing of June 20, 1916, referred to by the chairman is as follows:)

DEPARTMENT OF STATE.

*Washington, June 20, 1916.*

SIR: I have read your communication, which was delivered to me on May 22, 1916, under instructions of the chief executive of the de facto Government of Mexico, on the subject of the presence of American troops in Mexican territory, and I would be wanting in candor if I did not, before making answer to the allegations of fact and the conclusions reached by your Government, express the surprise and regret which have been caused this Government by the discourteous tone and temper of this last communication of the de facto Government of Mexico.

The Government of the United States has viewed with deep concern and increasing disappointment the progress of the revolution in Mexico. Continuous bloodshed and disorders have marked its progress. For three years the Mexican Republic has been torn with civil strife, the lives of Americans and other aliens have been sacrificed; vast properties developed by American capital and enterprise have been destroyed or rendered nonproductive; bandits have been permitted to roam at will through the territory contiguous to the United States and to seize, without punishment or without effective attempt at punishment, the property of Americans, while the lives of citizens of the United States who ventured to remain in Mexican territory or to return there to protect their interests have been taken, and in some instances barbarously taken, and the murderers have neither been apprehended nor brought to justice. It would be difficult to find in the annals of the history of Mexico conditions more deplorable than those which have existed there during these recent years of civil war.

It would be tedious to recount instance after instance, outrage after outrage, atrocity after atrocity, to illustrate the true nature and extent of the widespread conditions of lawlessness and violence which have prevailed. During the past nine months in particular, the frontier of the United States along the lower Rio Grande has been thrown into a state of constant apprehension and turmoil because of frequent and sudden incursions into American territory and depredations and murders on American soil by Mexican bandits, who have taken the lives and destroyed the property of American citizens,

sometimes carrying American citizens across the international boundary with the booty seized. American garrisons have been attacked at night, American soldiers killed, and their equipment and horses stolen; American ranches have been raided, property stolen and destroyed, and American trains wrecked and plundered. The attacks on Brownsville, Red House Ferry, Progreso Post Office, and Las Peladas, all occurring during September last, are typical. In these attacks on American territory, Carrancista adherents, and even Carrancista soldiers took part in the looting, burning, and killing. Not only were these murders characterized by ruthless brutality, but uncivilized acts of mutilation were perpetrated. Representations were made to Gen. Carranza, and he was emphatically requested to stop these reprehensible acts in a section which he has long claimed to be under the complete domination of his authority. Notwithstanding these representations and the promises of Gen. Nafarrate to prevent attacks along the international boundary, in the following month of October a passenger train was wrecked by bandits and several persons killed 7 miles north of Brownsville, and an attack was made upon United States troops at the same place several days later. Since these attacks leaders of the bandits, well known both to Mexican civil and military authorities as well as to American officers, have been enjoying with immunity the liberty of the towns of northern Mexico. So far has the indifference of the de facto government of these atrocities gone, that some of these leaders, as I am advised, have received not only the protection of that government but encouragement and aid as well.

Depredations upon American persons and property within Mexican jurisdiction have been still more numerous. This Government has repeatedly requested in the strongest terms that the de facto government safeguard the lives and homes of American citizens and furnish the protection which international obligation imposes to American interests in the northern States of Tamaulipas, Nuevo Leon, Coahuila, Chihuahua, and Sonora, and also in the States to the south. For example, on January 3 troops were requested to punish the bands of outlaws which looted the Cusi mining property, 80 miles west of Chihuahua, but no effective results came from this request. During the following week the bandit Villa, with his band of about 200 men was operating without opposition between Rubio and Santa Isabel, a fact well known to Carrancista authorities. Meanwhile a party of unfortunate Americans started by train from Chihuahua to visit the Cusi mines, after having received assurances from Carrancista authorities in the State of Chihuahua that the country was safe and that a guard on the train was not necessary. The Americans held passports or safe conducts issued by the authorities of the de facto government. On January 10 the train was stopped by Villa bandits and 18 of the American party were stripped of their clothing and shot in cold blood, in what is now known as the "Santa Isabel massacre."

Gen. Carranza stated to the agent of the Department of State that he had issued orders for the immediate pursuit, capture, and punishment of those responsible for this atrocious crime, and appealed to this Government and to the American people to consider the difficulties of according protection along the railroad where the massacre occurred.

Assurances were also given by Mr. Arredondo, presumably under instructions from the de facto Government, that the murderers would be brought to justice and that steps would also be taken to remedy the lawless conditions existing in the State of Durango. It is true that Villa, Castro, and Lopez were publicly declared to be outlaws, and subject to apprehension and execution, but so far as known only a single man personally connected with this massacre has been brought to justice by Mexican authorities. Within a month after this barbarous slaughter of inoffensive Americans it was notorious that Villa was operating within 20 miles of Cusihuiriachic, and publicly stated that his purpose was to destroy American lives and property.

Despite repeated and insistent demands that military protection should be furnished to Americans, Villa openly carried on his operations, constantly approaching closer and closer to the border. He was not intercepted, nor were his movements impeded by troops of the de facto Government, and no effectual attempt was made to frustrate his hostile designs against Americans. In fact, as I am informed, while Villa and his band were slowly moving toward the American frontier in the neighborhood of Columbus, N. Mex., not a single Mexican soldier was seen in his vicinity. Yet the Mexican authorities were fully cognizant of his movements, for on March 6, as Gen. Gavira publicly announced, he advised the American military authorities of

the outlaw's approach to the border, so that they might be prepared to prevent him from crossing the boundary. Villa's unhindered activities culminated in the unprovoked and cold-blooded attack upon American soldiers and citizens in the town of Columbus on the night of March 9, the details of which do not need repetition here in order to refresh your memory with the heinousness of the crime. After murdering, burning, and plundering, Villa and his bandits, fleeing south, passed within sight of the Carrancista military post at Casas Grandes, and no effort was made to stop him by the officers and garrison of the de facto Government stationed there.

In the face of these depredations not only on American lives and property on Mexican soil but on American soldiers, citizens, and homes on American territory, the perpetrators of which Gen. Carranza was unable or possibly considered it inadvisable to apprehend and punish, the United States had no recourse other than to employ force to disperse the bands of Mexican outlaws who were with increasing boldness systematically raiding across the international boundary. The marauders engaged in the attack on Columbus were driven back across the border by American cavalry, and subsequently, as soon as a sufficient force to cope with the band could be collected, were pursued into Mexico in an effort to capture or destroy them. Without cooperation or assistance in the field on the part of the de facto Government, despite repeated requests by the United States, and without apparent recognition on its part of the desirability of putting an end to these systematic raids or of punishing the chief perpetrators of the crimes committed, because they menaced the good relations of the two countries, American forces pursued the lawless bands as far as Parral, where the pursuit was halted by the hostility of Mexicans, presumed to be loyal to the de facto Government, who arrayed themselves on the side of outlawry and became in effect the protectors of Villa and his band.

In this manner and for these reasons have the American forces entered Mexican territory. Knowing fully the circumstances set forth, the de facto Government can not be blind to the necessity which compelled this Government to act, and yet it has seen fit to recite groundless sentiments of hostility toward the expedition and to impute to this Government ulterior motives for the continued presence of American troops on Mexican soil. It is charged that these troops came across the frontiers without first obtaining the consent or permission of the de facto Government.

Obviously, as immediate action alone could avail, there was no opportunity to reach an agreement (other than that of March 10-13 now repudiated by Gen. Carranza) prior to the entrance of such an expedition into Mexico if the expedition was to be effective. Subsequent events and correspondence have demonstrated to the satisfaction of this Government that Gen. Carranza would not have entered into any agreement providing for an effective plan for the capture and destruction of the Villa bands. While the American troops were moving rapidly southward in pursuit of the raiders, it was the form and nature of the agreement that occupied the attention of Gen. Carranza rather than the practical object which it was to attain—the number of limitations that could be imposed upon the American forces to impede their progress rather than the obstacles that could be raised to prevent the escape of the outlaws. It was Gen. Carranza who suspended, through your note of April 12, all discussions and negotiations for an agreement along the lines of the protocols between the United States and Mexico concluded during the period 1882-1896, under which the two countries had so successfully restored peaceful conditions on their common boundary.

It may be mentioned here that, notwithstanding that statement in your note that "the American Government gave no answer to the note of the 12th of April," this note was replied to on April 14, when the department instructed Mr. Rodgers by telegraph to deliver this Government's answer to Gen. Carranza. Shortly after this reply the conferences between Gens. Scott, Funston, and Obregon began at El Paso, during which they signed on May 2 a project of a memorandum and referendum regarding the withdrawal of American troops. As an indication of the alleged bad faith of the American Government, you state that though Gen. Scott declared in this memorandum that the destruction and dispersion of the Villa band "had been accomplished," yet American forces are not withdrawn from Mexico. It is only necessary to read the memorandum, which is in the English language, to ascertain that this is clearly a misstatement, for the memorandum states that "the American punitive ex-

peditionary forces have destroyed or dispersed many of the lawless elements and bandits, \* \* \* or have driven them far into the interior of the Republic of Mexico," and further, that the United States forces were then "carrying on a vigorous pursuit of such small numbers of bandits or lawless elements as may have escaped." The context of your note gives the impression that the object of the expedition being admittedly accomplished, the United States had agreed in the memorandum to begin withdrawal of its troops.

The memorandum shows, however, that it was not alone on account of partial dispersion of the bandits that it was decided to begin the withdrawal of American forces, but equally on account of the assurances of the Mexican Government that their forces were "at the present time being augmented and strengthened to such an extent that they will be able to prevent any disorders occurring in Mexico that would in any way endanger American territory," and that they would "continue to diligently pursue, capture, or destroy any lawless bands of bandits that may still exist or hereafter exist in the northern part of Mexico," and that it would "make a proper distribution of such of its forces as may be necessary to prevent the possibility of invasion of American territory from Mexico." It was because of these assurances and because of Gen. Scott's confidence that they would be carried out that he stated in the memorandum that the American forces would be "gradually withdrawn." It is to be noted that, while the American Government was willing to ratify this agreement, Gen. Carranza refused to do so, as Gen. Obregon stated, because, among other things, it imposed improper conditions upon the Mexican Government.

Notwithstanding the assurances in the memorandum, it is well known that the forces of the de facto government have not carried on a vigorous pursuit of the remaining bandits and that no proper distribution of forces to prevent the invasion of American territory has been made, as will be shown by the further facts hereinafter set forth. I am reluctant to be forced to the conclusion which might be drawn from these circumstances that the de facto government, in spite of the crimes committed and the sinister designs of Villa and his followers, did not and does not now intend or desire that these outlaws should be captured, destroyed, or dispersed by American troops or, at the request of this Government, by Mexican troops.

While the conferences at El Paso were in progress, and after the American conferees had been assured on May 2 that the Mexican forces in the northern part of the Republic were then being augmented so as to be able to prevent any disorders that would endanger American territory, a band of Mexicans, on the night of May 5, made an attack at Glenn Springs, Tex., about 20 miles north of the border, killing American soldiers and civilians, burning and sacking property, and carrying off two Americans as prisoners. Subsequent to this event, the Mexican Government, as you state, "gave instructions to Gen. Obregon to notify that of the United States that it would not permit the further passage of American troops into Mexico on this account, and that orders had been given to all military commanders along the frontier not to consent to same." This Government is, of course, not in a position to dispute the statement that these instructions had been given to Gen. Obregon, but it can decisively assert that Gen. Obregon never gave any such notification to Gen. Scott or Gen. Funston or, so far as known, to any other American official. Gen. Obregon did, however, inquire as to whether American troops had entered Mexico in pursuit of the Glenn Springs raiders, and Gen. Funston stated that no orders had been issued to American troops to cross the frontier on account of the raid, but this statement was made before any such orders had been issued, and not afterwards, as the erroneous account of the interview given in your note would appear to indicate. Moreover, no statement was made by the American generals that "no more American troops would cross into our territory."

On the contrary it was pointed out to Gen. Obregon and to Mr. Juan Amador, who was present at the conference, and pointed out with emphasis, that the bandits De la Rosa and Pedro Vino, who had been instrumental in causing the invasion of Texas above Brownsville, were even then reported to be arranging in the neighborhood of Victoria for another raid across the border, and it was made clear to Gen. Obregon that if the Mexican Government did not take immediate steps to prevent another invasion of the United States by these marauders, who were frequently seen in the company of Gen. Nafarrete, the Constitutionalist commander, Mexico would find in Tamaulipas another punitive expedition similar to that then in Chihuahua. American troops crossed into Mexico on May 10, upon notification to the local military

authorities, under the repudiated agreement of March 10-13, or in any event in accordance with the practice adopted over 40 years ago, when there was no agreement regarding pursuit of marauders across the international boundary. These troops penetrated 158 miles into Mexican territory in pursuit of the Glenn Springs marauders without encountering a detachment of Mexican troops or a single Mexican soldier. Further discussion of this raid, however, is not necessary, because the American forces sent in pursuit of the bandits recrossed into Texas on the morning of May 22, the date of your note under consideration—a further proof of the singleness of purpose of this Government in endeavoring to quell disorder and stamp out lawlessness along the border.

During the continuance of the El Paso conference, Gen. Scott, you assert, did not take into consideration the plan proposed by the Mexican Government for the protection of the frontier by the reciprocal distribution of troops along the boundary. This proposition was made by Gen. Obregón a number of times, but each time condition upon the immediate withdrawal of American troops, and the Mexican conferees were invariably informed that immediate withdrawal could not take place, and that therefore it was impossible to discuss the project on that basis.

I have noted the fact that your communication is not limited to a discussion of the deplorable condition existing along the border and their important bearing on the peaceful relation of our Governments, but that an effort is made to connect it with other circumstances in order to support, if possible, a mistaken interpretation of the attitude of the Government of the United States toward Mexico. You state in effect that the American Government has placed every obstacle in the way of attaining the pacification of Mexico, and that this is shown by the volume of diplomatic representations in behalf of American interests which constantly impede efforts to reorganize the political, economical, and social conditions of the country; by the decided aid lent at one time to Villa by American officers and by the Department of State; by the aid extended by the American Catholic clergy to that of Mexico; by the constant activity of the American press in favor of intervention and the interests of American business men; by the shelter and supply of rebels and conspirators on American territory; by the detention of shipments of arms and munitions purchased by the Mexican Government; and by the detention of machinery intended for their manufacture.

In reply to this sweeping charge, I can truthfully affirm that the American Government has given every possible encouragement to the de facto Government in the pacification and rehabilitation of Mexico. From the moment of its recognition it has had the undivided support of this Government. An embargo was placed upon arms and ammunition going into Chihuahua, Sonora, and Lower California, in order to prevent their falling into the hands of the armed opponents of the de facto Government. Permission has been granted from time to time, as requested, for Mexican troops and equipment to traverse American territory from one point to another in Mexico in order that the operations of Mexican troops against Villa and his forces might be facilitated.

In view of these friendly acts, I am surprised that the de facto Government has construed diplomatic representations in regard to the unjust treatment accorded American interests, private assistance to opponents to the de facto Government by sympathizers in a foreign country, and the activity of a foreign press as interference by the United States Government in the domestic politics of Mexico. If a denial is needed that this Government has had ulterior and improper motives in its diplomatic representations, or has countenanced the activities of American sympathizers and the American press opposed to the de facto Government, I am glad most emphatically to deny it. It is, however, a matter of common knowledge that the Mexican press has been more active than the press in the United States in endeavoring to influence the two peoples against each other and to force the two countries into hostilities.

With the power of censorship of the Mexican press so rigorously exercised by the de facto Government, the responsibility for this activity can not, it would seem, be avoided by that Government, and the issue of the appeal of Gen. Carranza himself, in the press of March 12, calling upon the Mexican people to be prepared for any emergency which might arise, and intimating that war with the United States was imminent, evidences the attitude of the



de facto Government toward these publications. It should not be a matter of surprise that, after such manifestations of hostile feeling, the United States was doubtful of the purpose for which the large amount of ammunition was to be used which the de facto Government appeared eager to import from this country. Moreover, the policy of the de facto Government in refusing to cooperate and in failing to act independently in destroying the Villa bandits and in otherwise suppressing outlawry in the vicinity of the border so as to remove the danger of war materials, while passing southward through this zone, falling into the hands of the enemies of law and order is, in the opinion of this Government, a sufficient ground, even if there were no other, for the refusal to allow such materials to cross the boundary into the bandit-infested region. To have permitted these shipments without careful scrutiny would, in the circumstances, have been to manifest a sense of security which would have been unjustified.

Candor compels me to add that the unconcealed hostility of the subordinate military commanders of the de facto Government toward the American troops engaged in pursuing the Villa bands and the efforts of the de facto Government to compel their withdrawal from Mexican territory by threats and show of military force instead of by aiding in the capture of the outlaws, constitute a menace to the safety of the American troops and to the peace of the border. As long as this menace continues and there is any evidence of an intention on the part of the de facto Government or its military commanders to use force against the American troops instead of cooperating with them, the Government of the United States will not permit munitions of war or machinery for their manufacture to be exported from this country to Mexico.

As to the shelter and supply of rebels and conspirators on American territory, I can state that vigorous efforts have been and are being made by the agents of the United States to apprehend and bring to justice all persons found to be conspiring to violate the laws of the United States by organizing to oppose with arms the de facto Government of Mexico. Political refugees have undoubtedly sought asylum in the United States, but this Government has vigilantly kept them under surveillance and has not hesitated to apprehend them upon proof of their criminal intentions, as the arrest of Gen. Huerta and others fully attests.

Having corrected the erroneous statements of fact to which I have adverted the real situation stands forth in its true light. It is admitted that American troops have crossed the international boundary in hot pursuit of the Columbus raiders and without notice to or the consent of your Government; but the several protestations on the part of this Government by the President, by this department, and by other American authorities, that the object of the expedition was to capture, destroy, or completely disperse the Villa bands of outlaws or to turn this duty over to the Mexican authorities when assured that it would be effectively fulfilled, have been carried out in perfect good faith by the United States.

Its efforts, however, have been obstructed at every point; first, by insistence on a palpably useless agreement which you admit was either not to apply to the present expedition or was to contain impracticable restrictions on its organization and operation; then by actual opposition, encouraged and fostered by the de facto Government; to the further advance of the expedition into Villa territory, which was followed by the sudden suspension of all negotiations for an arrangement for the pursuit of Villa and his followers and the protection of the frontier; and finally by a demand for the immediate withdrawal of the American troops. Meantime conditions of anarchy in the border States of Mexico were continually growing worse. Incursions into American territory were plotted and perpetrated; the Glenn springs raid was successfully executed, while no effective efforts were being made by Gen. Carranza to improve the conditions and to protect American territory from constant threat of invasion.

In view of this increasing menace, of the inactivity of the Carranza forces, of the lack of cooperation in the apprehension of the Villa bands, and of the known encouragement and aid given to bandit leaders, it is unreasonable to expect the United States to withdraw its forces from Mexican territory or to prevent their entry again when their presence is the only check upon further bandit outrages and the only efficient means of protecting American lives and homes—safeguards which Gen. Carranza, though internationally obligated to supply, is manifestly unable or unwilling to give.

In view of the actual state of affairs as I have outlined it above, I am now in a position to consider the conclusion which you have drawn in your note under acknowledgment from the erroneous statements of fact which you have set forth.

Your Government intimates, if it does not openly charge, that the attitude of the United States is one of insincerity, distrust, and suspicion toward the de facto Government of Mexico, and that the intention of the United States in sending its troops into Mexico is to extend its sovereignty over Mexican territory, and not merely for the purpose of pursuing marauders and preventing future raids across the border. The de facto Government charges by implication which admits of but one interpretation that this Government has as its object territorial aggrandizement, even at the expense of a war of aggression, against a neighbor weakened by years of civil strife. The Government of the United States, if it had had designs upon the territory of Mexico, would have had no difficulty in finding during this period of revolution and disorder many plausible arguments for intervention in Mexican affairs. Hoping, however, that the people of Mexico would through their own efforts restore peace and establish an orderly government, the United States has awaited with patience the consummation of the revolution.

When the superiority of the revolutionary faction led by Gen. Carranza became undoubted the United States, after conferring with six others of the American Republics, recognized unconditionally the present de facto Government. It hoped and expected that that Government would speedily restore order and provide the Mexican people and others, who had given their energy and substance to the development of the great resources of the Republic, opportunity to rebuild in peace and security their shattered fortunes.

This Government has waited month after month for the consummation of its hope and expectation. In spite of increasing discouragements, in spite of repeated provocations to exercise force in the restoration of order in the northern regions of Mexico, where American interests have suffered most seriously from lawlessness, the Government of the United States has refrained from aggressive action and sought by appeals and moderate, though explicit, demands to impress upon the de facto Government the seriousness of the situation and to arouse it to its duty to perform its international obligations toward citizens of the United States who had entered the territory of Mexico or had vested interests within its boundaries.

In the face of constantly renewed evidence of the patience and restraint of this Government in circumstances which only a Government imbued with unselfishness and a sincere desire to respect to the full the sovereign rights and national dignity of the Mexican people would have endured, doubts and suspicions as to the motives of the Government of the United States are expressed in your communication of May 22, for which I can imagine no purpose but to impugn the good faith of this Government, for I find it hard to believe that such imputations are not universally known to be without the least shadow of justification in fact.

Can the de facto Government doubt that, if the United States had turned covetous eyes on Mexican territories, it could have found many pretexts in the past for the gratification of its desire? Can that Government doubt that months ago, when the war between the revolutionary factions was in progress, a much better opportunity than the present was afforded for American intervention, if such has been the purpose of the United States as the de facto Government now insinuates? What motive could this Government have had in refraining from taking advantage of such opportunities other than unselfish friendship for the Mexican Republic? I have, of course, given consideration to your argument that the responsibility for the present situation rests largely upon this Government. In the first place you state that even the American forces along the border, whose attention is undivided by other military operations, "Find themselves physically unable to protect effectively the frontier on the American side."

Obviously, if there is no means of reaching hands roving on Mexican territory and making sudden dashes at night into American territory it is impossible to prevent such invasion unless the frontier is protected by a cordon of troops. No government could be expected to maintain a force of this strength along the boundary of a nation with which it is at peace for the purpose of resisting the onslaught of a few bands of lawless men, especially when the neighboring State makes no effort to prevent these attacks. The most effective method of preventing raids of this nature, as past experience has fully demonstrated, is

to visit punishment or destruction on the raiders. It is precisely this plan which the United States desires to follow along the border without any intention of infringing upon the sovereign rights of her neighbor, but which, although obviously advantageous to the de facto Government, it refuses to allow or even countenance. It is in fact protection to American lives and property about which the United States is solicitous and not the methods of ways in which that protection should be accomplished.

If the Mexican Government is unwilling or unable to give this protection by preventing its territory from being the rendezvous and refuge of murderers and plunderers, that does not relieve this Government from its duty to take all the steps necessary to safeguard American citizens on American soil. The United States Government can not and will not allow bands of lawless men to establish themselves upon its borders with liberty to invade and plunder American territory with impunity, and when pursued to seek safety across the Rio Grande, relying upon the plea of their Government that the integrity of the soil of the Mexican Republic must not be violated.

The Mexican Government further protests that it has "made every effort on its part to protect the frontier" and that it is doing "all possible to avoid a recurrence of such acts." Attention is again invited to the well-known and unrestricted activity of De la Rosa, Aniceto Pizana, Pedro Vinos, and others in connection with border raids and to the fact, as I am advised, up to June 4 De la Rosa was still collecting troops at Monterey for the openly avowed purpose of making attacks on Texan border towns, and that Pedro Vinos was recruiting at another place for the same avowed purpose. I have already pointed out the uninterrupted progress of Villa to and from Columbus and the fact that the American forces in pursuit of the Glenn Springs marauders penetrated 168 miles into Mexican territory without encountering a single Carrancista soldier. This does not indicate that the Mexican Government is doing "all possible"; this is not sufficient to prevent border raids, and there is every reason, therefore, why this Government must take such preventive measures as it deems sufficient.

It is suggested that injuries suffered on account of bandit raids are a matter of "pecuniary reparation," but "never the cause for American forces to invade Mexican soil." The precedents which have never been established and maintained by the Government of the Mexican Republic for the last half century do not bear out this statement. It has grown to be almost a custom not to settle depredations of such bandits by payments of money alone, but to quell such disorders and to prevent such crimes by swift and sure punishment.

The de facto Government finally argues that "if the frontier were duly protected from incursions from Mexico there would be no reason for the existing difficulty"; thus the de facto Government attempts to absolve itself from the first duty of any government, namely, the protection of life and property. This is the paramount obligation for which governments are instituted, and governments neglecting or failing to perform it are not worthy of the name. This is the duty for which Gen. Carranza, it must be assumed, initiated his revolution in Mexico and organized the present Government, and for which the United States Government recognized his Government as the de facto Government of Mexico. Protection of American lives and property, then, in the United States is, first, the obligation of this Government, and in Mexico is, first, the obligation of Mexico and, second, the obligation of the United States. In securing this protection along the common boundary the United States has a right to expect the cooperation of its neighboring Republic, and yet instead of taking steps to check or punish the raiders the de facto Government demurs and objects to measures taken by the United States. The Government of the United States does not wish to believe that the de facto Government approves these marauding attacks, yet as they continue to be made they show that the Mexican Government is unable to repress them. This inability, as this Government has had occasion in the past to say, may excuse the failure to check the outrages complained of, but it only makes stronger the duty of the United States to prevent them, for if the Government of Mexico can not protect the lives and property of Americans exposed to attack from Mexicans the Government of the United States is in duty bound, so far as it can, to do so.

In conclusion, the Mexican Government invites the United States to support its "assurance of friendship with real and effective acts," which "can be no other than the immediate withdrawal of American troops." For the reasons I have herein fully set forth, this request of the de facto Government can not now be entertained. The United States has not sought the duty which has been

forced upon it of pursuing bandits who, under fundamental principles of municipal and international law, ought to be pursued and arrested and punished by the Mexican authorities. Whenever Mexico will assume and effectively exercise that responsibility, the United States, as it has many times before publicly declared, will be glad to have this obligation fulfilled by the de facto Government of Mexico. If, on the contrary, the de facto Government is pleased to ignore this obligation, and to believe that "in case of a refusal to retire these troops there is no further recourse than to defend its territory by an appeal to arms," the Government of the United States would surely be lacking in sincerity and friendship if it did not frankly impress upon the de facto Government that the execution of this threat will lead to the gravest consequences. While this Government would deeply regret such a result, yet it can not recede from its settled determination to maintain its national rights and to perform its full duty in preventing further invasions of the territory of the United States and in removing the peril which Americans along the international boundary have borne so long with patience and forbearance.

Accept, etc.,

ROBERT LANSING.

The report of the Secretary of State has my approval.

WOODROW WILSON.

THE WHITE HOUSE.

The CHAIRMAN. Have you had any experience with the different Governments of Mexico with reference to the surrender or extradition of fugitives from justice?

Mr. VALLS. I have had a great deal of experience with them. In prior times, when Gen. Diaz was in power—I refer to him as Gen. Diaz all the time; I can't help it—these matters were a pleasure to me. Inside of 60 or 90 days the fugitive was always surrendered to the officers of Texas. No matter whether the fugitive be Mexican or an American citizen, no stress was laid on that point. I don't recall a single instance where the extradition was refused, and I have handled a great many cases of extradition. They tell me that one of the last official acts Gen. Diaz did was to grant the extradition of a very notorious criminal, a desperate outlaw, known by the name of Dionisio Martinez. I went across the river to receive him in company with Sheriff Will Wright, who is now a Ranger captain. Gen. Diaz had left on the *Yperanga* a few days before his surrender was refused, and shortly after that he was allowed to escape from jail. His extradition was again requested—again and again—and that man to-day, Senator, is holding a commission as a captain in the Carranza army in New Laredo, under Crecencio Barrera, who committed a most cruel murder in Zapata County. I demanded his extradition. He was found in Mier, Mexico; and that man is to-day holding a commission in the Mexican Army—Crecencio Barrera.

The CHAIRMAN. His extradition having been refused?

Mr. VALLS. No attention paid to our requests.

The CHAIRMAN. Your experience leads you to believe that one of the qualifications which might earn a man a commission in the Carranza army, as a captain at least, should be that he should have murdered some one and be a fugitive from justice on this side of the river?

Mr. VALLS. Looks very much like it, Senator. Then, we had three well-known desperate outlaws who went to the ranch of Mr. Ignacio Benavidez, the president of the First State Bank & Trust Co., of Laredo. They tied his men, they stole nine of his best horses, and three days afterwards the Carranza commander in the city of Guerrero was seen riding the best horse in the bunch. And I re-

quested the extradition of these men and nothing was ever done, and they are also in the army of President Carranza.

The CHAIRMAN. Corroborative evidence of the statement you have just made as to the qualification?

Mr. VALLS. I might give you a number of instances, but it would just tire you and I don't ask for extradition any more.

The CHAIRMAN. On June 19, 1917, Zimmerman, at that time, I believe, subsecretary of foreign affairs of the German Government, sent to Von Eckhardt, then German ambassador in Mexico, certain copies of instructions, the originals of which were obtained by the Government of the United States and given by the President of the United States to the public and to Congress. You stated that you had read it but don't recall the terms of it. Do you recall—I will call your attention to one or two passages in it.

"We (meaning Germany) shall give general financial support (to Mexico) and it is understood that Mexico is to reconquer the lost territory in New Mexico, Texas, and Arizona, and in which Von Eckhardt was further instructed to suggest to Mexico that its President—that is, V. Carranza—on his own initiative should communicate with Japan suggesting adherence conditions to this plan and at the same time offer to mediate between Germany and Japan.

"In pursuing its line of investigation there came into the hands of the committee a paper which the committee is precluded for very grave reasons from quoting in full, but for the authenticity of which the committee vouches, in which it is stated that a high official of Mexico would communicate to another high official that the 'treaty with Japan is coming along,' and that the writer is convinced of the great advantage which it would bring Mexico for its national integrity. The committee is also in possession of certain official statements to the effect that great commercial activity might be started in Mexico by reason of the initiative of wealthy Germans, to whom the Mexican Government has the intention of lending its decided support."

Mr. VALLS. I recall that; yes, sir.

The CHAIRMAN. Something sounds a little familiar to you compared with this plan of San Diego?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Did it appear any more preposterous to you than the plan of San Diego did in the early spring of 1915?

Mr. VALLS. Coming from the Carranza government, it didn't surprise me much, Senator.

The CHAIRMAN. These raids that finally formed in the mind of the witness that this plan of San Diego meant something continued along in 1915, disturbances of all kinds, up until the middle of 1916, and the Zimmerman note suggesting the same thing came along in the early part of 1917. Now, we propose to show or have shown already by evidence in this case that the same thing is still in the mind of Mr. Carranza, as shown by correspondence which we have on file. His own correspondence. For instance, the letter of Mr. Carranza, dated—

MEXICO, June 14, 1919.

Señor LIO. MANUEL AGUIRRE BERLANGA.

ESTEEMED FRIEND: Señor Lino Caballo, bearer of this letter, is the person who, in company with two friends, will bring to you the manifestos and the plan which they desire to put into practice in the State of Texas.

This plan being very favorable for Mexico, please aid them in every way and give the necessary instructions in the frontier States.

I remain, your affectionate friend,

V. CARRANZA.

Did you have any reason to notice any German propaganda along the border among the Mexicans?

Mr. VALLS. Oh, a great deal of it,

The CHAIRMAN. During the war?

Mr. VALLS. Yes, sir; a great deal.

The CHAIRMAN. Do you happen to know—I presume, however, it is useless to ask you this question—one Gen. Klos in the City of Mexico; do you know how he is employed, what he is doing?

Mr. VALLS. No; how do you spell that name?

The CHAIRMAN. K-l-o-s-s or K-l-o-o-s. Do you know Gen. Pablo Gonzales?

Mr. VALLS. Yes, sir.

The CHAIRMAN. Do you know his wife?

Mr. VALLS. No, sir.

The CHAIRMAN. Do you know what descent his wife is?

Mr. VALLS. No, sir.

The CHAIRMAN. What nationality?

Mr. VALLS. No, sir.

The CHAIRMAN. Do you know a certain German now in custody in this country known as L. Witzke?

Mr. VALLS. No, sir; I don't remember the name, Senator; there are so many of them I don't recall the name.

The CHAIRMAN. Judge, unless you desire to make some further statement yourself, we thank you very much, sir, for the exceedingly lucid and interesting and beautiful statement, as my colleague remarked, that you have given the committee.

Mr. VALLS. Thank you, sir.

### TESTIMONY OF CAPT. W. M. HANSON.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Capt. Hanson, you are connected with this committee, in this investigation, are you?

Capt. HANSON. Yes, sir.

The CHAIRMAN. What is your official position aside from that?

Capt. HANSON. I am senior captain of the Texas Ranger force.

The CHAIRMAN. In your investigations and also in the performance of your official duties, have you been brought in contact with one L. Witzke?

Capt. HANSON. I have.

The CHAIRMAN. Where is he now?

Capt. HANSON. He is at Fort Sam Houston, in custody.

The CHAIRMAN. Under what condition is he in custody?

Capt. HANSON. I understand he is under sentence of death as a German spy during the war.

The CHAIRMAN. Did you, at any time, in the presence of anyone else, or alone, interview this man Witzke?

Capt. HANSON. I did.

The CHAIRMAN. In whose presence?

Capt. HANSON. Capt. Kile of the Intelligence Department of the United States.

The CHAIRMAN. Was there a statement made by Witzke at that time?

Capt. HANSON. There was.

The CHAIRMAN. A voluntary statement?

Capt. HANSON. A voluntary statement.

The CHAIRMAN. In the course of that statement was the name of Mario Mendez mentioned?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Was this statement taken down in writing?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Who took it down?

Capt. HANSON. I took it down in longhand, and later Capt. Kile had it typewritten.

The CHAIRMAN. I have here in my hand a typewritten purported statement.

Capt. HANSON. Yes, sir.

The CHAIRMAN. Is this the same one that was prepared by Capt. Kile of the Intelligence Department?

Capt. HANSON. That is the one.

The CHAIRMAN. Taken down by you and in the presence of Capt. Kile?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Did, or did not this German spy Witzke state to yourself and Capt. Kile at that time that Mario Mendez, Minister of Telegraph, was in the pay of the German Government; that is, Minister of Telegraph in the Mexican Government?

Capt. HANSON. Yes, sir; he did.

The CHAIRMAN. His pay was paid through Carranza, who was repaid by the German citizens of Mexico?

Capt. HANSON. Yes, sir.

The CHAIRMAN. Is this Mario Mendez the same Mario Mendez whose name has just been mentioned by the preceding witness in connection with the plan of San Diego?

Capt. HANSON. Yes, sir.

The CHAIRMAN. That is all at this time.

Senator FALL. In consultation with my colleague we have decided that we would now state in the record that we have in our possession documentary evidence concerning the connection of certain Mexican officials with the plan of San Diego and the raids upon this side of the river, corroborating the statements which have already been made and elaborating to some extent upon those statements, throwing additional light upon them. We expect to place a witness upon the stand later to identify, if necessary, the documents in the possession of the Department of State of the United States of America and of this committee. We expect to show the connection of Manuel Ochoa, of Carranza's staff; that he introduced the witness to Agustin Garza, alias Leon Caballo, as has been testified to, who was mentioned in the Carranza letter of June 14, 1919, and who is shown to be identified as Agustin Garza, one of the signers and framers of the original plan of San Diego. We will show that Agustin Garza recently had an office at No. 17 Avenida Independencia, in the City of Mexico; that he was there consorting with Fortunato Zuazua.

supposed to be a general in the Mexican Army; that the witness asked Zuazua and Ochoa whether Carranza knew personally of the plan of San Diego; that he was assured that Carranza did know it, and that any connection which the witness might have with the plan of San Diego or the Texas revolution would assure him absolute and ample protection; that the witness then consulted Minister Acuña upon the subject, explaining fully the propositions made by Garza. Acuña advised the witness to accept the proposition and to assist in the plan of San Diego or the Texas revolution.

The witness had an office in the same building with Zuazua and was enabled to observe the movements of the leaders of the Plan of San Diego, especially of Jacobo Ayala Villareal, treasurer to Gen. Zuazua, prominently identified, as testified to in connection with this plan, and that as testified to Villareal was subsequently collector of customs in the Carranza government at Naco, Sonora, and is now in charge of the office under the Mexican Government at Matamoros; that while connected with Gen. Zuazua, and in communication with the other officials of the Mexican Government, the witness came in contact in the office at Avenida Independencia No. 17, with Pablo Nago, a Jap, whom the witness will testify was living under an assumed name—in other words, that Nago was not his correct name; that Nago was connected with Carranza and Acuña while they were at Vera Cruz in 1914-1915; that Nago was a go-between and constantly in touch with the witness and with those who were formulating and carrying out the Plan of San Diego; that he was also in touch with the witness and Nago, with Gen. Zuazua and others, with Gen. Pablo Gonzalez at Tacubaya; that Zuazua and the Jap obtained money, 10,000 pesos in Carranza money and a thousand dollars in American gold from Pablo Gonzalez; that the gold money was stated by Garza to be intended for the use of a negro in the United States who had been employed to endeavor to secure a revolt among the negro troops on the American side of the border. The witness afterwards came in contact with this negro but did not learn his name. The witness was also in contact with Maurillo Rodriguez, a nephew of Gen. Carranza, who was a friend of Gen. Pablo Gonzalez, and one of the leaders in the Plan of San Diego; that he was constantly at the office of Zuazua, where arms and ammunition were furnished him for the Texas revolution, and passes to Monterrey for himself and 25 men, including 7 or 8 Japanese, were issued to him by Gen. Juan Barragan, chief of staff of the Carranza army; that the witness came in touch with Mario Mendez, who, as has been testified to here, occupies a prominent position in the Carranza administration and was prominently identified with the Plan of San Diego. That the witness talked over with Mendez the details of the plan and was told of various matters by Mendez. Through Capt. Hanson's testimony of the statement of Witzke he was shown at this time to have been in the employ of the German Government. That the witness was directed to Gen. Candido Aguilar, minister of foreign affairs of the Mexican Government under Carranza, by Mendez; that he was taken by Mendez's secretary to see the private secretary of Gen. Carranza, Garzaya Ugarte; he came in connection at this time with Gen. Esteban Fierros, as he, Gen. Fierros, returned from Tampico accompanied by Gen. Luis de la Rosa; that he, de la Rosa, at the time of the witness's testimony very recently was occupied in



some capacity at Chapultepec, that the passes of some of the men sent to the northern part of the Republic from the City of Mexico to accompany Gen. Zuazua in carrying out the Plan of San Diego were furnished by Gen. Juan Barragan, of the Carranza army, chief of staff.

The witness talked to de la Rosa and Fierros about the futility of their attempts on Texas, and was assured by de la Rosa that he had been able to keep 5,000 United States soldiers busy along the border with 50 men; that when de la Rosa went to Monterrey that Agustin Garza, or Leon Caballo, also left Mexico City for Monterrey, and that the office at No. 17 Avenida Independencia was then closed. That the Jap mentioned, Pablo Nago, informed the witness that Mario Mendez had instructed him to proceed to Monterrey with money to pay off the men under Garza. Witness knows that Nago went to Monterrey for such purpose. The witness was in Mexico when the Japanese who had accompanied Col. Maurillo Rodriguez to the border returned. He had a conversation with Nago, who informed him that they had come back because the Japanese minister had ordered them to do so under the penalty of forfeiting their rank. These two of them were officers in the Japanese army. One of them had attended officially the jubilee of Queen Victoria; another was an engineer; all were Japanese officers.

Various other matters of interest along this line will be shown by the documents, if we are unable to secure the presence of the witness to testify fully.

(Thereupon the session at 12.30 o'clock p. m. recessed until 2.30 o'clock p. m. of the same day.)

#### AFTER RECESS.

Senator FALL. Continuing the statement as to what the committee will prove later—the committee has in its possession, in addition to the letter from Mr. Carranza which was read into the record, and which letter is dated June 14, 1919, another letter, dated in August, 1919, signed by V. Carranza, directing Aguirre Berlanga, minister of Gobernacion, to place upon the pay roll and afford all financial assistance to one Juan M. Garcia and two Americans from Texas, whom the committee will expect to show are the same two men referred to in the letter of June 14 as having the plan which was of benefit to Mexico and concerning which instructions were to be given to the frontier States of Mexico.

The committee has in its possession, and there is also on file with another department of this Government, the minutes of a meeting of Lodge 23, of the City of Mexico, held on October 15, 1919. Lodge 23 appears to be an association of extreme radical anarchistic elements in the City of Mexico.

The committee expects to show that the two men referred to in the two letters from Carranza, accompanied by Lino Caballo—Agustin Garza—were present at the meeting of this lodge, and that at this meeting, with these three delegates present, two being Americans who had arrived from the United States, these men claimed that the "Society," as they called it, would be able at the beginning of November—that is, November of this past year, 1919—to call a general strike of all miners and metal workers in the United States; that

they had 3,000,000 adherents in this country, where they expected to seize one western and two Atlantic ports; that a large number of American soldiers were preparing to take sides with them; and that they proposed to establish a capital of a reformed government of the United States in the State of Colorado, and that when such revolution was successful, the Mexicans having rendered their assistance, the border States which were acquired by the United States under the treaty of 1848 would be returned to Mexico.

The committee will introduce this verbatim copy of the minutes of these proceedings later, for the purpose of connecting up with the original plan of San Diego, which has been testified to, the resuscitated plan as announced in the Zimmerman note, and the plan which was approved by Mr. Carranza, as by photographic copies of his letters now in our possession under date of June 14 and August, 1919.

### DR. PAUL BERNARDO ALTENDORF.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. State your full name in the record?

Dr. ALTENDORF. Paul Bernardo Altendorf.

The CHAIRMAN. Of what country are you a citizen?

Dr. ALTENDORF. Of this country.

The CHAIRMAN. Of what country are you—you are a citizen of this country?

Dr. ALTENDORF. Yes, sir.

The CHAIRMAN. Speak a little louder, Doctor?

Dr. ALTENDORF. Yes, sir.

The CHAIRMAN. Of what country are you a native?

Dr. ALTENDORF. Poland.

The CHAIRMAN. Doctor, what has been your business during the recent war, and where have you been for a greater portion of the time?

Dr. ALTENDORF. I have been in south Mexico, in 1914, before the war broke out, Senator—I was practicing medicine there.

Senator SMITH. What—I can not hear you.

Dr. ALTENDORF. I have been practicing medicine there.

The CHAIRMAN. Practicing medicine in southern Mexico in 1914?

Dr. ALTENDORF. Yes, sir; at Merida.

The CHAIRMAN. After the war broke out what was your business, if any?

Dr. ALTENDORF. When the United States declared war on Germany I knew all the interests that the Germans were doing with the Mexican Government in Mexico City, and I saw also some of this German spy system in Merida, receiving the beer from Milwaukee, and on the labels inside written in invisible ink, and I got hold of information through the German club in Merida, and I knew some Americans down there at the hotel in Merida and told them about it.

The CHAIRMAN. Merida is in Yucatan?

Dr. ALTENDORF. Yes, sir; in Yucatan. So I wanted to go to the United States, but none of the American steamships would take me as an alien name, so I made up my mind to go by land. I intended to go at that time, but I was in trouble with Alvarado on account

he was making a little propaganda down there in this Bolshiviki, so-called, so he told me I had 24 hours to leave Merida.

The CHAIRMAN. This was Salvador Alvarado?

Dr. ALTENDORF. Yes, sir.

The CHAIRMAN. At that time the governor of Yucatan?

Dr. ALTENDORF. Yes, sir.

The CHAIRMAN. Under the Carranza government?

Dr. ALTENDORF. Yes, sir. So I had to leave Merida that time in a great hurry; so I took a little boat from Campeche and went up to Frontera. On my arrival at Frontera there was an order from Alvarado that every citizen there, every American, must receive these "bilimbiques"—this paper money—that all silver must be turned in and gold. I went to the American consul there, and I had to be very careful because there was a lot of falsification going on there and we had to accept the paper. One of Alvarado's officers by name of Dominguez, he found me out, and they had been tracing me, so I took a boat quick the same night and went to Puerto Mexico, and from there fighting my way through with the rebels to Mexico City. There were some agents on the train to ask for such as were going into the hotels, and one of the agents that I saw was a Russian—I could speak Russian also, so I addressed him in Russian there, and he said there was a very fine German hotel there by the name of Juarez on Calle de Cuba in Mexico City, and I said, "Who is the proprietor?" He said, "The proprietor is Mr. Otto Paglash, a German." The next morning I looked up this man there, Mr. Paglash, and I introduced myself to him. He asked me a few questions, what I was doing there; I said, "I am coming in to buy some medicines and going back to Merida."

The CHAIRMAN. Now, Doctor, let me suggest to you that at the present time the committee does not desire to develop into that story.

Dr. ALTENDORF. Yes. I was just going to tell about this man. And he introduced me to this man Mendez; there were three brothers living in the hotel, paid by the German Government—board and lodging—and receiving at that time \$600 American money salary, which means 1,200 pesos Mexican money, from the German ambassador, Von Eckhardt, a month.

The CHAIRMAN. Now, what Mendez?

Dr. ALTENDORF. Mario Mendez. He used to meet a man by the name of Kettenbach, down there—a criminal—and hand him over the wires that used to come from the United States to the American ambassador, and all kinds of communications from the United States.

The CHAIRMAN. That was Mario Mendez?

Dr. ALTENDORF. Yes, sir; that was Mario Mendez.

The CHAIRMAN. He was minister of telegraph?

Dr. ALTENDORF. Yes, sir; that is right.

The CHAIRMAN. And he would turn over to Von Eckhardt, the German ambassador—

Dr. ALTENDORF. Yes, sir.

The CHAIRMAN. The messages coming from the United States?

Dr. ALTENDORF. Yes, sir.

The CHAIRMAN. And he was in the employ of the German ambassador there?

Dr. ALTENDORF. Yes, sir.

The CHAIRMAN. Receiving \$600 a month?

Dr. ALTENDORF. Yes, sir; \$600 a month.

The CHAIRMAN. Doctor, were you afterwards identified with the Intelligence Department of the United States Army?

Dr. ALTENDORF. Yes, sir.

The CHAIRMAN. In Mexico?

Dr. ALTENDORF. Yes, sir.

The CHAIRMAN. Did you have anything to do with this man Witsche?

Dr. ALTENDORF. Yes, sir; I was responsible for his arrest.

The CHAIRMAN. You were sent by the United States into Mexico to get Witsche out?

Dr. ALTENDORF. Yes, sir.

The CHAIRMAN. And it was through your evidence and that which you obtained that Witsche was sentenced to death?

Dr. ALTENDORF. Yes, sir.

The CHAIRMAN. Doctor, the committee desires to reserve your further testimony to a further hearing. At this point we simply wanted to identify Mendez through you. Thank you very much.

Dr. ALTENDORF. Yes, sir.

#### TESTIMONY OF MAJ. R. L. BARNES.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. What is your present occupation?

Maj. BARNES. I am with the claim department of the Travelers' Insurance Co., Hartford, Conn.

The CHAIRMAN. Are you a citizen of the United States, Major?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Where were you born?

Maj. BARNES. Prentiss, Ky.

The CHAIRMAN. Where were you on or about February 14, 1912?

Maj. BARNES. I was residing in Washington at that time; was appointed special agent of the Department of Justice and assigned to the border.

The CHAIRMAN. When did you come to the border?

Maj. BARNES. I left Washington on the evening of the 14th of February.

Senator SMITH. What year?

Maj. BARNES. 1912, sir.

The CHAIRMAN. Where were you on December 13, 1913?

Maj. BARNES. That was the date I was placed in charge of the work of the San Antonio division of the bureau of investigation of the Department of Justice.

The CHAIRMAN. With your headquarters in this city?

Maj. BARNES. San Antonio; yes, sir.

The CHAIRMAN. San Antonio?

Maj. BARNES. Yes, sir.

The CHAIRMAN. What was your district?

Maj. BARNES. Including the States of Texas, Arizona, and New Mexico.

The CHAIRMAN. In connection with your—or later, I will ask you first, did you hold a commission in the Army or in the War Department?

Maj. BARNES. Yes, sir; I was commissioned a major in the Army and—

The CHAIRMAN. About what date—October 28?

Maj. BARNES. October 28.

The CHAIRMAN. 1917?

Maj. BARNES. 1917. And was designated intelligence officer for the Southern Department on—and commenced the duties on November 9, 1917, for the purpose of organizing the military intelligence division forces to combat the German system in Mexico.

The CHAIRMAN. Yes, sir. During the course of your official investigations, in the discharge of your duties, did you come in contact with what is known as the plan of San Diego?

Maj. BARNES. Yes, sir; I first came in contact with that while I was with the Department of Justice.

The CHAIRMAN. Did you have anything to do with the investigation of that plan and those connected with it?

Maj. BARNES. Yes, sir; the special agents operating under me investigated it so far as it pertained to the Federal Government, and then I went to Brownsville and spent about three weeks or a month myself personally.

The CHAIRMAN. Yes, sir. Are you familiar with any of the raids—

Maj. BARNES. Yes, sir.

The CHAIRMAN. Which occurred about that time?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Do you know anything about the Brownsville raids?

Maj. BARNES. Yes, sir; I used to be very familiar with them; I don't know that I can recall the dates exactly now, but I know in a general way all the information.

The CHAIRMAN. The Webb County raids?

Maj. BARNES. Yes, sir.

The CHAIRMAN. The Big Bend raids?

Maj. BARNES. San Ignacio and Big Bend raids; yes, sir.

The CHAIRMAN. Do you know who gave, if anyone—who gave from Mexico, among the officials in Mexico, aid and assistance to this plan—in support of this plan and these raids?

Maj. BARNES. Gen. Nafarrate, who was in command of the district opposite Brownsville, was very active; one of his assistants, Col. Rodriguez, and Niceforo Zambrano, Gen. Zuazua, and there was some man connected with the railroad, I think, with headquarters at Monterrey—I don't recall his name; it might have been Fierros, or something of that kind.

The CHAIRMAN. Col. Fierros?

Maj. BARNES. I think that was the name; he was very active.

The CHAIRMAN. These men were all in the employ or associated with the Carranza Government?

Maj. BARNES. Yes, sir; they were the Carranza people.

The CHAIRMAN. Do you know any of the positions that have been held by Niceforo Zambrano?

Maj. BARNES. He was at that time Treasurer General of Mexico, I think, and later became governor of—

The CHAIRMAN. Nuevo Leon?

Maj. BARNES. Nuevo Leon; yes, sir.

The CHAIRMAN. Gen. Nafarrate?

Maj. BARNES. Gen. Nafarrate was in command of that district there opposite Brownsville, I don't know just—he had headquarters at that time opposite Brownsville, later he was in Tampico, and at one time—I don't know—he was moved back from the border at one time on account of a protest from Americans, and—I don't know just what his position was then.

The CHAIRMAN. Did you know Luis de la Rosa, or did you investigate him?

Maj. BARNES. Yes, sir; I knew of him very well—I didn't know him personally, but I had his photograph turned over to me by the authorities.

The CHAIRMAN. Did you know Aniceto Pizana?

Maj. BARNES. Yes, sir; he was the leader of those two raids, they were associated as leaders in the Brownsville raids.

The CHAIRMAN. What was the occupation of those two men, do you know?

Maj. BARNES. Prior?

The CHAIRMAN. Yes, sir; and about that time?

Maj. BARNES. If I recall correctly, de la Rosa was a butcher at a little town there on this side of the border—or grocery keeper, I don't know which—I think he was a butcher, though; Pizana, I think, had a little ranch.

The CHAIRMAN. Were they the active leaders on this side in those raids?

Maj. BARNES. Yes, sir.

The CHAIRMAN. And do you know where they were received after their raids were over?

Maj. BARNES. Well, they were in Brownsville quite a while—I mean in Matamoros on the other side of the river, after the raids they used to be there, our men would report they were seen over there in uniforms, and later became a part of and were incorporated into the Mexican army.

The CHAIRMAN. Well, in these raids do you know where there were physical evidences of the fact that Carrancista soldiers were engaged in the raids?

Maj. BARNES. Yes, sir; we frequently found uniforms—Carranza uniforms with the usual epaulets, etc., and buttons and commissions.

The CHAIRMAN. Commissions?

Maj. BARNES. Commissions, and things of that nature, and letters and sometimes passes signed by some Carranza official.

The CHAIRMAN. Was that equally true of the Brownsville, Laredo, and Big Bend districts?

Maj. BARNES. Yes, sir.

The CHAIRMAN. As an official of this Government did you make any appeal or representations to the Carranza officials on the other side with reference to these raids at any time?

Maj. BARNES. Yes, sir; I had conferences with the Carranza officials with the idea of trying to cooperate with them to prevent the raids.

They represented to me that they were not—they would do the best they could, but they were not hardly strong enough to handle the situation. Then we—on account of that condition and for the purpose of protecting the citizens in this country, we tried to secure advance information as when these raids would in the future take place, and in doing that we sent a number under cover of uniforms into Mexico.

The CHAIRMAN. Men in the employment of the Secret Service of the United States?

Maj. BARNES. Yes, sir; yes, sir, in our employment.

The CHAIRMAN. Of course you do not care to mention their names?

Maj. BARNES. No, sir; I do not care to mention their names.

The CHAIRMAN. You sent them into Mexico?

Maj. BARNES. Yes, sir.

The CHAIRMAN. To convey to you advance information of the dates of the raids?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Because the Carrancista officers say they would do what they could but were not able to stop them?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Now, what did your men discover and report to you as to the character of the actions of the Carrancista officials?

Maj. BARNES. Well; they soon reported that evidence was to the effect that the raids were actually supported and assisted by the Carranza officials.

The CHAIRMAN. And among them they also reported to you as supporting and assisting the raids were the names that you have given?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Niceforo Zambrano?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Gen. Nafarrate?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Gen. Zuazua?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Maurillo Rodriguez and others?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Do you know anything about the attitude of Venustiano Carranza during the recent war between the United States and Germany?

Maj. BARNES. Decidedly pro-German and anti-American.

The CHAIRMAN. You know that from your investigations?

Maj. BARNES. I am very positive of it; yes, sir.

The CHAIRMAN. Made in pursuance of your official duties?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Now, did he render any—did his officials render assistance to the Germans in Mexico?

Maj. BARNES. Yes, sir.

The CHAIRMAN. What was the nature of such assistance?

Maj. BARNES. Well, the—they would, in the first place their telegraph and wireless were available for getting messages from various officials in—

The CHAIRMAN. You say they were available. Were they actually used by the Germans?

Maj. BARNES. Oh, they were used; yes, sir.

The CHAIRMAN. For the delivery of code messages?

Maj. BARNES. For the delivery of code messages. They were also given passes on the railroads.

The CHAIRMAN. Free passes on the railroads?

Maj. BARNES. Yes, sir; free passes. The officials in the various States were frequently instructed to render them assistance in any manner they could.

The CHAIRMAN. Could you mention any names of any prominent parties in Mexico—I mean Germans—connected with this German propaganda?

Maj. BARNES. Von Eckhardt was the German minister, but the German espionage system was in charge of a man named Jahnke—Kurt Jahnke.

The CHAIRMAN. Kurt Jahnke?

Maj. BARNES. Yes, sir. He also had under him, probably his best man, I guess, was Lathar Witsche, or this man Wabirski.

The CHAIRMAN. Is this the same man, Witsche, who is now under sentence of death, now in charge of the military?

Maj. BARNES. Yes, sir; I believe he is probably the same man.

The CHAIRMAN. Did you ever learn anything of Zeferino Martinez, now the governor of San Luis Potosi, in connection with the plan of San Diego, or did your investigations—

Maj. BARNES. I can not recall that name, sir; there are so many details, I have been out of touch with that situation for the last six or seven months, that I don't know.

The CHAIRMAN. What as to the official controlled press of Mexico, what was its attitude during the war toward the United States?

Maj. BARNES. Pro-German and very anti-American.

The CHAIRMAN. Pro-German?

Maj. BARNES. Yes, sir. El Democrata—there was a string of papers known as "El Democrata" that were particularly antagonistic.

The CHAIRMAN. Who was in charge of those papers, do you know?

Maj. BARNES. Rip Rip Martinez. I think he was later appointed ambassador to Japan.

The CHAIRMAN. What was the attitude of the Carranza government with reference to English papers that might display any feelings toward the United States or the Allies during the war?

Maj. BARNES. Antagonistic, sir. One of the most notable instances was probably the paper El Universal, was probably one of the most important papers that supported the United States during the war. Palavicini, who was the editor, was expelled.

The CHAIRMAN. Was this situation brought to the attention of the officials at Washington?

Maj. BARNES. Yes, sir.

The CHAIRMAN. What did Washington do, if anything, with reference to the attitude of the newspapers in Mexico?

Maj. BARNES. We tried to combat the German propaganda by cutting off their supply of newsprint so that they would not have anything to print papers on. Then, there was a decree issued by Carranza requiring that the import duties on this newsprint paper should be paid in kind, and the newsprint thus secured later be turned over to these official pro-German papers.



The CHAIRMAN. It was turned over to the pro-German papers?

Maj. BARNES. That was the report given; yes, sir.

The CHAIRMAN. Was there any protection and assistance given by the Carranza authorities to American slackers during the war, if you know?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Give an instance.

Maj. BARNES. Well, the most conspicuous instance is probably Lynn Gale, who published Gale's Magazine.

The CHAIRMAN. He is still publishing that magazine in Mexico?

Maj. BARNES. He is still publishing that in Mexico City. There were always slackers crossing the border, and they were always received with open arms, given all the assistance they needed, and they could go wherever they desired.

The CHAIRMAN. Did you investigate the case of Lynn Gale?

Maj. BARNES. Yes, sir. We gathered a great deal of information about Gale; we received a great deal of information through intercepted letters.

The CHAIRMAN. You did intercept letters from him to this country?

Maj. BARNES. Through the censorship; yes, sir.

The CHAIRMAN. Can you recall either of those letters—any of those letters, to whom they were addressed?

Maj. BARNES. Well, I can't recall. A great many of them were addressed to his family, and then some of them were addressed to other radicals in this country.

The CHAIRMAN. Have you had your attention called to the activities of a man by the name of Martens in New York?

Maj. BARNES. Yes, sir; the Russian so-called soviet ambassador.

The CHAIRMAN. Yes, sir; who has recently been arrested by the United States Government for his activities?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Do you know whether any of these letters addressed by Gale was addressed to Martens, or did one of those come under your notice?

Maj. BARNES. I don't recall of ever having seen one addressed to Martens at that time, although there were so many of them I do not recall whether there was or not.

The CHAIRMAN. You have seen copies of Gale's Magazine, have you?

Maj. BARNES. Yes, sir.

The CHAIRMAN. It is avowedly engaged in bolshevik propaganda in Mexico, isn't it?

Maj. BARNES. Decidedly so; yes, sir.

The CHAIRMAN. The committee have here a copy of a letter under date of May 3, 1919, purporting to be written on the letter head of Gale's Magazine. I am going to read you the letter for the purpose of ascertaining whether this is along the general tenor of the letters which Mr. Gale was sending out.

Maj. BARNES. Yes, sir.

The CHAIRMAN (reading). "Journal of the New Civilization. Lynn A. E. Gale, editor and publisher, P. O. box 518, Mexico City, D. F., Mexico." Is that the address of this man?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Addressed to Mr. J. I. A. K. Martens, 299 Broadway, New York City. Dated May 3, 1919. [Reading:]

DEAR SIR: Knowing you are the financial agent of the Russian Soviet Government in New York, I take the liberty to write you and ask you if you can give me financial aid in my propaganda in Mexico. I have already sent you copies of Gale's Magazine. No doubt you are already familiar with it, or at least read the articles in the New York World and other papers, accusing me of being the leader of Bolshevik propaganda in Mexico, and other dire crimes.

Gale's Magazine was published a year in the United States, and resumed here in 1918, after Mrs. Gale and I moved here. It originally had 30,000 circulation in the United States, but lost most of those after we came here, for the censor would not let it circulate in the mails (when he was able to prevent it). However, a small number of copies have reached the United States each month, and a circulation of 10,000 has been gained in Mexico.

I wish now to publish another edition in Spanish, for it will be much more effective than the English edition, as the large majority of the people read and speak Spanish. I am about making expenses on the edition in English, and can do so on the Spanish edition with substantial profit if I can get funds for the original financing of the enterprise. If you could advance \$10,000, I would be able to develop a tremendous circulation here in a few weeks, covering all Mexico and much of Central and South America.

On a separate sheet I have pasted clippings of some references to my honesty and ability. Suffice it to say, I was originally a Democrat, and as such was in the employ of the New York State Government under Govs. Sulzer and Glynn. The present governor, Al Smith, knows me well, and I was a legislative official when he was speaker of the assembly. I became an independent Democrat and finally a Socialist. When the war came I was drafted, but being opposed to war I left the United States and came to Mexico and made my home in this city. Since my arrival I have established very close relations with the Mexican Government, which I have urged to Bolshevize the country, and which will, I believe, do so. I have been extended unusual help in various ways by President Carranza and his prime minister, Secretary Berlinga.

The two following paragraphs I shall not read; one of them is an enemy and the other contains the name of his correspondent in the United States through whom return mail is to be sent to him, and I do not care to give publicity to the name of that correspondent. This is signed "Yours for the Red Dawn," signed "Lynn A. E. Gale." In the correspondence which you intercepted from Gale were any of the names which were mentioned here given by him as reference?

Maj. BARNES. Yes, sir; very frequently. That is his history in New York—we investigated that, and that checks up with it very closely.

The CHAIRMAN. But you were investigating him because he had been drafted and escaped to Mexico?

Maj. BARNES. Yes, sir.

The CHAIRMAN. To avoid the draft?

Maj. BARNES. Yes, sir.

The CHAIRMAN. What have you to say, if anything, with reference to his statement that he was particularly close to the Carranza government?

Maj. BARNES. That is undoubtedly true, sir, because we have received numerous other reports that seemed to confirm that.

The CHAIRMAN. Some of the references, some of the parties to whom Mr. Gale—whose names he has mentioned here and to whom he has referred, have explained their indorsements of Mr. Gale, have they not—for instance, Gov. Glynn; do you remember any explanation made by him?

Maj. BARNES. I don't remember. At the time I left our service there had been no explanation requested at all.

The CHAIRMAN. There had been no publicity given to this?

Maj. BARNES. No, sir. I know a number of times he would use, insert advertisements in his magazine in Mexico—for instance, the La Salle Extension University; we would call that to the attention of reputable firms in this country, and they would say they had not authorized him—had not advertised in his magazine, never authorized him to use it at all, and we would frequently find he was sailing under false colors in reference to his claims.

The CHAIRMAN. Yes. What effort, if any, was made by this Government to secure the friendship of Mexico after we entered the war, if you know?

Maj. BARNES. We made a very earnest effort to retain the friendship of Mexico, as we had done before that. In that connection, practically every branch of the service, I guess, received instructions to endeavor to be cordial in their relations with those on the opposite side of the river where they happened to be located, and we also endeavored to be very energetic in the suppression of any—any activities of any Mexican refugees on this side whose action might be antagonistic toward the Mexican Government. Then Gen. Pershing at one time made an appeal to the business men along the frontier—the hardware dealers particularly, and asked them not to handle arms and ammunition except under the supervision of the military service. All of the dealers very patriotically responded to that request, and arms and ammunition were not even accepted for shipment on the railroad without permit from the military authorities.

The CHAIRMAN. From your information, to what is due more than anything else, the maintenance by Carranza of his government in Mexico during the last two or three years?

Maj. BARNES. Well, I think the American Government—to the support given it by the American Government is very largely due the fact that they have been able to stand up.

The CHAIRMAN. Suppose that the American Government allowed arms and ammunition exported across the river, and suppose that Gen. Pershing had not made the request which has been so patriotically complied with and carried out by the American citizens, what, in your opinion, would have been the result with reference to Mr. Carranza?

Maj. BARNES. It is my belief that the Carranza government would have fallen some time ago; sir.

The CHAIRMAN. Did you at any time have any conference with any official of the Carranza government or any prominent representative of Carranza—

Major BARNES. Yes, sir.

The CHAIRMAN. In trying to carry out your instructions?

Major BARNES. Along that—along those lines, Mr. Pat O'Hay, who was a very efficient—proved to be a very efficient man at that period of time, induced Don Manuel Amaya, who was official introducer at that time, but commonly referred to as the "official house of Mexico," was induced to make a trip to San Antonio, where we entertained him and showed him through our training camps—Camp Travis and Kelly Field, and did everything we could to make his visit pleasant. Thereafter you recall that the editors of the Mexican newspapers were escorted through the United States.

The CHAIRMAN. This was a part of the purpose of the United States?

Maj. BARNES. Yes, sir.

The CHAIRMAN. To draw the Mexican Government, if possible, closer to the United States?

Maj. BARNES. Yes, sir.

The CHAIRMAN. To create a friendly feeling?

Maj. BARNES. Yes, sir.

The CHAIRMAN. What if anything did Mr. Amaya tell you with reference to the success, or probable success, of your efforts?

Maj. BARNES. Well, while Mr. Amaya was here I had a conference with him at the Menger Hotel; he assured me that Carranza was not pro-German. He said it with a great deal of force, and he said it with such force that it really had some effect. But thereafter he returned to Mexico, and I corresponded with him. He first wrote me a letter thanking me for the courtesies extended him while he was here, and then I took advantage of that opportunity to place on paper the assistance that the officials of this Government had rendered to his Government, and to in that way see, if possible, if we could not get some reciprocal action; but I never received any response to that letter. I wrote that, of course, more or less as a personal letter, and not as an official letter.

The CHAIRMAN. Did you, during these investigations, satisfy yourself as to whether Carranza was a friend to the United States, or whether he and those surrounding him were acting under the influence of some other government and its representatives?

Maj. BARNES. Yes, sir. I happened to know a number of friends of Carranza's in Texas—men who had been responsible for his success in the revolution—and through them I endeavored to have them use their influence to cause him to support the United States, or at least not be actively against us; and one effort I remember, I appealed to a very close friend of Carranza, and he told me that he had already made efforts along that line, and that a friend of his had just returned from Mexico City, and that Carranza was surrounded by a coterie there who had flattered him, and also through the flattery of Von Eckhardt he had been made to believe that he was destined to be the future Bismarck of America, and that it was absolutely hopeless to endeavor to win him to the United States.

The CHAIRMAN. Von Eckhardt was at that time ambassador of the German Empire—

Maj. BARNES. Yes, sir.

The CHAIRMAN. To Mexico?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Did you become convinced as to the truth of these statements?

Maj. BARNES. Absolutely convinced; yes, sir.

The CHAIRMAN. From your official investigation?

Maj. BARNES. Yes, sir.

The CHAIRMAN. Did you have any information as to any Mexican officials gathering information for the Germans along the border?

Maj. BARNES. That was reported to us on several different occasions, but I can not just recall at this time just how positive the proof was; but I think in one or two instances that it was ample to assure any reasonable man that such was the case.

The CHAIRMAN. Now, when the draft was put in effect in the United States, what efforts, if any, did you make to explain to the people along the border, and particularly those of Spanish descent, as to the effect of the draft?

Maj. BARNES. Well, when the draft—even the first draft had caused considerable consternation among the Mexican citizens, as well as many—a great many native Texans of Mexican descent, due largely to the fact of false information about the provisions of the draft being circulated among ignorant people.

The CHAIRMAN. Where was the source, do you know, of that false information?

Maj. BARNES. German propaganda.

The CHAIRMAN. German propaganda?

Maj. BARNES. We—the first efforts—I mean, during the first draft we endeavored to solicit the influence of the Mexican consul, but so far as I was able to see, no active assistance was ever rendered. Then, when the draft limit was raised, there was another exodus, even worse than the first, and we took even more active steps the second time, at this period, than we did before. We printed circulars and distributed them among the Mexican population; we organized a meeting and had speakers of Mexican origin address these people, and endeavored to have the Mexican consuls send out some of these circulars and also state our true attitude in the situation. Very little, in fact, no assistance of that kind was rendered, but as a matter of fact—

The CHAIRMAN. That is, rendered by the Mexican officials?

Maj. BARNES. Rendered by the Mexican officials; and one consul general here at that time whose name I can not recall, but he succeeded Seguin—a French name—it has just slipped my memory at present.

Mr. JACKSON. Frezieres—T. Frezieres.

Maj. BARNES. I remember him; Frezieres, that is the name; I remember him. I had made a visit two or three days before to his office, and I assured him of our sincere friendship and asked him if he could do anything along that line we would very much appreciate it, and he promised me he would. The next day, after we had one of these meetings at the market here, he phoned up to my office and asked me if I would come down, stating that he was too busy to come to my office, and when I arrived at his office he was very much excited and positively insulted me, so much so that under any other conditions I would have forcibly resented it, but I let it pass by at that time and didn't say anything.

Senator SMITH. What was the cause of his indignation?

Maj. BARNES. Because we had had this meeting over there and at that meeting some unfavorable comments had been directed toward Carranza men.

The CHAIRMAN. Then you received no assistance or cooperation from the Mexican authorities?

Maj. BARNES. None whatever. As a matter of fact, the information frequently reached us that the Mexican consuls assisted in the circulation of this false propaganda. We were at that time not just sure whether it was on account of pro-German feeling or whether it was on account of the fee they were getting for passports; but I know.

I remember clearly, very distinctly, that down here at the Mexican consul all his building there was full—the Book Building—and the Mexicans extended down Houston Street about a block.

The CHAIRMAN. People getting their passports?

Maj. BARNES. Yes, sir.

The CHAIRMAN. And he had a fee from that?

Maj. BARNES. Yes, sir.

The CHAIRMAN. So you do not know whether his antagonism toward you and your efforts was created by his love for the Germans or love for the money he was getting for the passports?

Maj. BARNES. Well, in Frezieres's case I was positive it was both, whereas in the other case I was not so positive which it was, because we had other reports of Frezieres's pro-German activities.

The CHAIRMAN. Well, Major, I won't ask you the details of these raids, as we have other witnesses. Many of them were engaged actively in the combating there.

Maj. BARNES. Yes, sir.

The CHAIRMAN. Thank you very much.

### TESTIMONY OF HENRY FORRES—Recalled.

(Witness was reminded by Dan M. Jackson, Esq., clerk of the subcommittee, that he was still under oath.)

Senator SMITH. Mr. Forres, you were on the stand yesterday. Have you or not seen the Mexican consul stationed at this city in regard to the visé of your passport?

Mr. FORRES. Yes, sir.

Senator SMITH. Did you present it to him?

Mr. FORRES. I presented my passport to his chief clerk, and before presenting the passport the chief clerk handed me a form of application for a visé and told me that I would have to have another photograph taken in connection with it. I told him all right. In the mean time he asked to see my passport. I gave him my passport and he immediately took it into the consul's office, because they have three offices, and in less than half a minute he was back with it—handed it to me and told me they would not visé it, and I asked him why, and he gave absolutely no reason whatever.

Senator SMITH. No explanation?

Mr. FORRES. None; absolutely.

Senator SMITH. He positively refused to visé it?

Mr. FORRES. Absolutely.

Senator SMITH. Do you know whether or not it was by reason of your having appeared as a witness before this committee?

Mr. FORRES. I see no other reason because you can see by the passport it has been viséed a great many, many times by different consuls—here by the consul at Piedras Negras, and here by the consuls in Matamoros and Laredo, and different cities.

Senator SMITH. This is the first refusal?

Mr. FORRES. This is the first refusal.

Senator SMITH. And this come after your appearance as a witness before the committee?

Mr. FORRES. Yes, sir.

The CHAIRMAN. When did you go to the consul?

Mr. FORRES. I went to the consul this morning, just about an hour ago.

The CHAIRMAN. Who was with you, if anyone, Mr. Mayfield?

Mr. FORRES. Mr. Mayfield; yes, sir.

Senator SMITH. That's all.

### TESTIMONY OF CAPT. S. C. KILE.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Are you a citizen of the United States?

Capt. KILE. I am, sir.

The CHAIRMAN. Of what State are you a native?

Capt. KILE. Native of the State of Ohio.

The CHAIRMAN. What is your occupation?

Capt. KILE. Military intelligence officer.

The CHAIRMAN. Now in the service of the United States?

Capt. KILE. I am, sir.

The CHAIRMAN. With the rank of captain?

Capt. KILE. Yes, sir.

The CHAIRMAN. Where are you stationed?

Capt. KILE. At department headquarters at Fort Sam Houston.

The CHAIRMAN. Captain, we have here a little volume entitled "A Brief History of the Lower Rio Grande Valley," which purports to give an account of the various raids occurring since 1915 along the Mexican border and Texas border, numbering a total. I believe, of some forty-six or more, and we are informed that the author of this volume is now dead. Have you ever read the book or any part of it?

Capt. KILE. I have, sir.

The CHAIRMAN. Have you had your attention called to the statement contained in the book as to each of those different raids?

Capt. KILE. Particularly as to those set forth in Chapter X.

The CHAIRMAN. Will you take the book and examine Chapter X and state if those are the particular raids which you have had your attention called to [handling book to witness]?

Capt. KILE (after examining book). Yes, sir; these are the ones which I have had occasion to particularly verify.

The CHAIRMAN. I am not going to ask you, Captain, to read this into the record nor take up the time at present to have it read. We will instruct the reporters at this point, however, to embrace in their report of the day's proceedings the account as given by the author of these different raids. The question which I desired to ask you, having read this and having had your attention called to it, whether you have checked up the accuracy of the statements made by the author with reference to these raids?

Capt. KILE. I have in this way: By my direction and under my supervision, my sergeant major checked these movements and troop activities as reported in Chapter X from the official records kept in the office of The Adjutant General as to troop movements and operation, and it was found to be accurate, with a very few minor exceptions, which were noted on the margin of the book at the time the check was made.

The CHAIRMAN. Were they typographical or were they errors in material statements?

Capt. KILE. Why, the inferences I would get from the text of the subject were that they were typographical errors rather than ones of fact.

The CHAIRMAN. Do you know of—from other sources of the Webb station raid, which the committee is informed is not detailed in this book—do you know there was such a raid?

Capt. KILE. Yes, sir; from official reports and the files of our office.

The CHAIRMAN. Then you regard the statements as contained in Chapter X, with reference to these raids, as so substantially correct that the committee is warranted in placing them in the official records of this hearing?

Capt. KILE. I do, sir.

The CHAIRMAN. Thank you very much. I think that is all just at this point.

Chapter X of the book entitled "A Brief History of the Lower Rio Grande Valley," by Frank Cushman Pierce, of Brownsville, Tex., authenticated by the witness, Capt. S. C. Kile, and ordered by the committee to be incorporated in the record, is as follows, to wit:)

#### CHAPTER X.—LOWER RIO GRANDE VALLEY.

On March 27, 1915, Gen. Jose Rodriguez, a Villista commander, began an attack on the city of Matamoros, Tamaulipas, with about 700 men. The city was defended by Gen. Emiliano P. Nafarrate and Col. Procopio Elizondo. The Villistas attempted to charge the trenches which encircle the city of Matamoros. They charged across an open-cleared flat and were mowed down by machine guns, suffering a loss of at least 250 killed and many wounded. In fact, 232 wounded men were allowed to cross the river at Las Rucas ranch, 5 miles west of Brownsville, and were housed and cared for by the American citizens, men and women, of Brownsville, who attended them until their recovery when they were sent by this Government to Laredo and there delivered to the Villistas.

Not more than 12 of the defenders were killed and not more than 10 wounded.

Rodriguez gave up the fight and afterwards boarded the train with his men and went to Monterey, where the Villistas were then in charge.

Gen. Navarro, one of the Villista commanders, was killed in one of the sallies against Matamoros.

During the month of May, 1915, a band of Mexicans, estimated to be from 20 to 30 men, were seen by various persons in the vicinity of Rancho Los Indios, about 8 or 9 miles east of Sebastian, Cameron County, Tex., and 35 miles north of Brownsville. Thirty deputy sheriffs, and many citizens joined in the chase, but could never get in contact with the Mexicans. American and Mexican farmers and ranchmen would report, almost daily, the loss of cattle, saddles, etc.

On July 17, 1915, Bernard Boley, a young American, was killed near the north line of the county, supposedly by bandits of the party which had been reported.

On July 12, 1915, 11 Mexicans, heavily armed, forced Nils Peterson, a farmer living about 4 miles south of Lyford, 40 miles north of Brownsville, to open his store and to supply them with food and ammunition.

On July 23, 1915, two brothers, Lorenzo and Gorgonio Manriquez, were killed by deputy sheriffs at the Mercedes headgates and in the town of Mercedes, respectively. They had been denounced as two of four who had robbed a store at Progreso (44 miles west from Brownsville, on the Rio Grande), the year before. It is alleged they resisted arrest.

On July 25, 1915, bandits set fire to and burned a bridge of the St. Louis, Brownsville & Mexico Railway, just south of Sebastian.

On July 28, 1915, Deputy Sheriffs Frank Carr and Daniel Hinojosa, of San Benito, at 10 o'clock at night, while transporting Adolfo Muniz in an automobile from San Benito to Brownsville to be placed in the county jail, were stopped 2 miles south of San Benito, where their prisoner was taken from them by men in another automobile. The man, Muniz, was hung and shot. It was alleged that he tried to commit rape on a young girl of the vicinity, and that he was under indictment for theft.



On July 31, 1915, bandits raided Los Indios ranch and killed Joe Maria Benavides, a Mexican.

On August 2, 1915, 10 soldiers from Troop A, Twelfth United States Cavalry, accompanied by deputy sheriffs and civilians, rushed Rancho Tule, about 25 miles north of Brownsville, in quest of bandits. Pvt. G. W. McGuire, Twelfth Cavalry, was killed, and Deputy Sheriff Monohan and Joe Longoria and a civilian were wounded.

On August 3, 1915, rangers and deputy sheriffs attacked a ranch near Paso Real, about 32 miles north of Brownsville, and killed Desiderio Flores and his two sons, Mexicans, alleged to be bandits.

On August 6, 1915, a band of 14 heavily armed Mexicans appeared at Sebastian. After robbing Alexander's store of various articles, they proceeded to the granary near the railroad track, and there picked out A. L. Austin and his son, Charles Austin. After taking these to their home, they transported them in a wagon, driven by a lad named Millard, whom they had also taken prisoner, and at some short distance from the house, made the two Austins get out of the wagon and then stood them up and shot them, killing both. Millard was released.

On August 8, 1915, a band of Mexicans shot at and wounded one Charles Jensen, night watchman, at the gin at Lyford, Tex.

On the 6th of August, a band of Mexicans shot at an automobile near Los Fresnos, 12 miles from Brownsville, wounding Sunny Huff.

On August 8, 1915, a party of bandits, estimated to be about 60, attacked Las Norias, flag station, about 70 miles north of Brownsville, on the St. Louis, Brownsville & Mexico Railway. In the battle which ensued, 5 outlaws were killed and found on the ground. Others were badly wounded and it was afterwards learned several had died as a result of their wounds. Reports having been received that a band was operating in that vicinity and had been seen thereabouts, 8 cavalrymen from Harlingen, Adj. Gen. Henry Hutchings, State troops: Capt. J. M. Fox and 10 rangers; Sheriff Vann and Capt. H. L. Ransom and his rangers had gone to Las Norias to overtake them.

While the rangers and others went into the brush to find the bandits, the 8 cavalrymen were left at the station. Two civilians, Frank Martin and an old ranger, and a Mr. Forbes lived there. The Mexicans attacked the ranch apparently not knowing of the presence of the troops. Martin and Forbes were badly wounded. During the battle Gordon Hill, Sam Robertson, and three other civilians arrived on a gasoline truck from Harlingen, just in time to assist in the battle.

August 9, 1915, after dark, at Mercedes Pump, Mexicans fired on a United States Cavalry patrol. One Mexican was killed.

August 10, 1915, Mexicans fired on Cavalry patrol at Palm Garden, just west from Mercedes, killing Pvt. L. C. Waterfield.

On August 15, 1915, a Cavalry patrol was fired on by Mexicans near Progreso, about 1 mile north of the Rio Grande. No one hurt.

On August 17, 1915, the patrol at Progreso having received information that some bandits were in the vicinity, made its way to the river. While on its banks Mexicans fired on the Americans and Corpl. Welman, Troop C, Twelfth Cavalry, was killed. Lieut. Roy C. Henry and Pvt. Jackson were wounded.

On August 20, 1915, it was reported that a party of nine deserters from the Carranza army in Mexico had crossed to the Texas side above Hidalgo. The sheriff and deputies of Hidalgo County gave chase and reported that they had killed nine of them, and that the remaining four recrossed into Mexico at Madera (about 62 miles west from Brownsville).

On August 25, 1915, late in the afternoon, at Progreso, Tex., Mexicans on the Mexican side fired on the patrol of Americans on the Texas side. Two American horses were killed. The Mexicans had dug trenches at nighttime and fired from these. Five Mexicans were wounded.

On August 26, 1915, it was reported that 20 heavily armed Mexicans had crossed into Texas a short distance west of Progreso. Immediately a chase began, but the Mexicans succeeded in recrossing without encounter.

On August 30, 1915, a bridge on the St. Louis, Brownsville & Mexico Railway just 12 miles north from Brownsville was set on fire and destroyed.

On September 1, 1915, a band of about 30 armed Mexicans appeared at the second lift pumping plant of the Fresnos Canal Co., about 14 miles north from Brownsville and 6 miles east from San Benito. They set fire to the buildings and destroyed them. They then took as prisoners Mr. Dodd, Mr. Smith, and two Mexicans.

They started toward the little village called Fresnos, where a few American farmers had settled. En route they met Mr. Donaldson. They took these men to a resaca (old river bed) at the end of one of the lateral canals and there executed Smith and Donaldson by shooting them through the head and body. Mr. Dodd was also taken out to be shot, but through the earnest pleadings of the two Mexican prisoners and the fact that at one time in the past he had favored a wounded Villista soldier who had been wounded in the Battle of Matamoros in March preceding, he was spared. When the wounded Villistas were being brought from Las Rucas to Brownsville, Dodd noticed this man walking and transported him to Brownsville in his automobile. The Mexican remembered it.

Immediately deputy sheriffs, civilians, from San Benito and Brownsville, and several detachments of United States Cavalry were rushed to the scene. Just east of Los Fresnos they came across the camp of the Mexicans and in a skirmish which took place in the heavy chaparral killed one Mexican, the others escaping.

On September 3, 1915, at Cavazos Crossing, just south of Mission, a party of Mexicans crossed into Texas, looting the village of Ojo de Agua. Capt. Frank R. McCoy with detachments of Troops H and G, Third United States Cavalry, then stationed at Mission, and Sheriff A. Y. Baker and deputies struck the trail and followed the Mexicans to the crossing. On September 4, the Mexicans fired from the Mexican side of the Rio Grande onto the Americans on the Texas side. In the battle which ensued, 1 American soldier was wounded and 11 Mexicans killed and 40 wounded.

On September 10, 1915, bandits attacked some Americans near Lyford, but were repulsed, the bandits leaving two dead on the field.

On September 13, 1915, just before daylight, Mexicans surrounded the Galveston Ranch, about 24 miles west from Brownsville. They fired on the nine sleeping soldiers, killing Pvt. Anthony Kraft, of the Third United States Cavalry, and wounding two others. The Americans, unable to locate their assailants on account of the dark, nevertheless drove them off.

During that day the soldiers arrested five Mexicans living at the ranch. They were taken to San Benito, turned over to the deputy sheriff, and placed in jail. That night at about 9.30 the deputy sheriffs took three of them out of jail and started on the Harlingen Road. Next morning these three Mexicans were found dead, having been executed.

On September 17, 1915, while reconnoitering the river bank within the Brownsville city limits, western extreme, with his troop of the Third United States Cavalry, Lieut. E. L. N. Glass was fired upon by Carranzistas from the Mexican side of the river. No casualties.

On September 17, 1915, near Donna, at the "Red House" crossing of the Rio Grande, a patrol of United States soldiers was fired upon by Mexicans. Sergt. Llewellyn maintained his ground until Lieut. Milton G. Holliday arrived with reinforcements. Quite a battle ensued, 17 Mexicans being killed or wounded.

On September 23, 1915, 12 mounted and armed Mexicans visited the La Talpa Ranch, about 20 miles north of Mission, Hidalgo County, at about 8 a. m., and stole ranch property, horses, mules, rifles, and ammunition.

On September 24, 1915, the same band referred to above attempted to raid the ranch of J. B. McAllen, San Juanito, Hidalgo County, Tex. Mr. McAllen happened to be the only man in the house. With his Mexican woman cook to assist in loading the guns, he fired on the 12 men, killing 2 and wounding 3. Of the three wounded, two afterwards died. The fight lasted more than an hour. McAllen's house was riddled with bullet holes.

On September 24, 1915, Lieut. W. King, of the Twenty-sixth Infantry, returning to the Saenz store at Progreso, Hidalgo County, at about 7.30 a. m., was shocked to find Pvt. Henry Stubblefield dead and Pvt. Kennedy wounded. The alarm was given and Pvt. Kennedy of the company of soldiers rushed to Mercedes Canal head gates for reinforcements. Lieut. King with his nine men opened fire on a party of Mexicans who were discovered on the American side, estimated to be about 75 men. Four American cavalry horses were killed while en route for reinforcements. At about 8 o'clock a. m., Capt. Anderson and Troop B, Eighth United States Cavalry, appeared at Progreso. In the battle, which lasted from 8 to 10 a. m., Capt. Anderson was wounded. After the battle it was found that of the 10 men on guard at Progreso crossing, Pvt. Richard J. Johnson was missing. Johnson, with his horse and equipment, was

taken prisoner by the Mexicans, carried across the river, his ears first cut off, then he was decapitated, his head being displayed on a pike. Pvt. Stubblefield and Pvt. Kennedy had arrived at the Saenz store simultaneously, and after Stubblefield was shot down, Kennedy shielding himself behind a little monument in front of the little church, alone and unaided fought desperately against the bandits until the first reinforcements arrived. His assailants numbered more than 50 men. It was afterwards learned that Stubblefield unsuspectingly ran into the Mexicans as they were setting fire to the Saenz house, intending to destroy it. As he entered the door he was riddled with bullets and found dead.

On September 23, 1915, an outpost of Troop M, Sixth United States Cavalry, was fired upon near the La Feria pumping plant, 28 miles west of Brownsville. No casualties.

On September 28, 1915, a lady living near Harlingen was attacked by two Mexicans and wounded in her forearm.

On October 9, 1915, Mexicans fired from the Mexican side on United States troops of Sixth Cavalry at the Mercedes pumping plant, 40 miles west from Brownsville. No casualties.

On October 18, 1915, the southbound St. Louis, Brownsville & Mexico Railway passenger train was derailed 6 miles north of Brownsville. The Mexican bandits, some 60 in number, had drawn all the spikes and fish plates connecting two parallel rails. With a wire attached to the rail on the west side, just as the train dashed by at a speed of about 30 miles an hour, they pulled the rail from under the moving engine. The engine was ditched, lying at right angles from the main line. The baggage and mail cars were turned on their sides. In the smoker were seated four soldiers without arms, boys on a trip of recreation; Dr. E. S. McCain, State health officer stationed at Brownsville; Harry Wallis, formerly a ranger; John Klieber, district attorney of the State court for the district, and several others. As soon as the train had come to a complete stop four unmasked Mexicans entered and began shooting at the citizens, and then, seeing the soldiers, turned their fire on them. Corpl. ——— McBee, Pvt. Claud J. Brashear, and Corpl. C. H. Laymond, the three of the Third United States Cavalry, were fired upon. McBee, just as he was rising from the floor, being shot and instantly killed. Brashear was approached by the leader and after several words was shot in the face just to the right of the nose, the ball coming out in the neck. He survived. Laymond was shot in the leg and neck. He survived. Dr. McCain and Wallis sought refuge in the toilet. The bandits fired through the toilet door, one of the shots striking McCain in the abdomen. He died next day. Wallis was shot in the arm and hand, but has recovered.

The engineer, H. H. Kendall, was pinned beneath his cab and killed, his hand on the throttle. A great many shots were fired from the brush into the train, but other than as stated none took effect. R. Woodall, fireman, was painfully burned by escaping steam.

By 10 o'clock next morning seven suspects had been captured, and later, that same day, the rangers executed four of these for alleged complicity in the wreck.

On October 24, 1915, the Sunday following the wreck a band of Mexicans attacked the soldier camp at the oil well, about 300 yards from the scene of the wreck. They approached just about dusk and fired into the camp. One soldier, Herman C. Moore, Fourth United States Cavalry, was shot and died from his wounds several days later.

On October 21, 1915, a party of Mexicans attacked the soldiers at Ojo de Agua ranch, about 1 mile north of the Rio Grande, and about 1 mile south of what is known as Chihuahua, branch line of the St. Louis, Brownsville & Mexico Railway, 74 miles west from Brownsville. At the time of the attack there were eight or nine men of the Signal Corps and seven or eight of Troop G, Third United States Cavalry, at the ranch. Without the slightest intimation that anything might happen, the soldiers had retired and were sound asleep. Suddenly, at about 1 o'clock, a terrific volley was fired upon the sleeping men and into the little wooden shack occupied by them. The soldiers soon rallied, and, although the Signal Corps possessed only pistols, a stubborn resistance was made. The shooting was heard in the vicinity and reported to Capt. Frank R. McCoy, who ordered all troops in the vicinity to the scene. The wireless plant being out of commission at the hour designated for reports, 1.30 a. m., Capt. Frank R. McCoy and Capt. W. J. Scott, with a company of Third United States Cavalry, started from Mission, about 8 miles distant, and arrived on the scene just as it was about over.

Capt. Scott was in bivouac at Penitas, 2 miles west of Ojo de Agua, and with a small detachment of 12 recruits hastened to the sound of the firing and attacked from the west and was largely responsible for driving the raiders off.

In this battle the Americans lost: Killed—Sergt. Shaffer, Troop G, Third United States Cavalry; First-class Pvt. Joyce, Company G, United States Signal Corps; and First-class Pvt. McConnell, Company D, United States Signal Corps. Wounded—Pvts. Fred Behr, Paul Langland, Ben Hallenbeck, of the Third United States Cavalry, Troop G; and First-class Sergt. H. R. Smith, Corpl. Lewis Candalla, and Pvt. L. T. Stewart, United States Signal Corps. Two others were slightly wounded.

The Mexicans lost five men killed and found within 50 feet of the ranch house, and nine wounded, two of whom died afterwards.

On November 1, 1915, a patrol of Company L, Twenty-eighth United States Infantry, was fired upon at the crossing known as McConnells, 68 miles west from Brownsville. One Mexican was killed.

On November 4, 1915, a patrol of Capt. Hanson's company, Sixth United States Cavalry, was fired upon from across Rio Grande at Mercedes Canal head gates. No casualties.

On November 12, 1915, a Mexican scout in United States service at Pedernal Ranch, fired upon five Mexicans. No casualties.

On January 26, 1916, Pvts. W. P. Wheeler and Biggo Pederson, Battery D, Fourth United States Field Artillery, while in swimming in the Rio Grande just south of Progreso, swam to the Mexican side. There they were taken prisoners by the Mexicans and carried back from the river. As soon as it was reported to the officers in charge of the commands, believing that it was the intention of the Mexicans to abuse the two soldiers, Lieut. John E. Mort, Second Lieut. Bernard R. Peyton, and Lieut. Albert W. Waldron, all of Battery D, Fourth United States Field Artillery, with about 20 men, started across by fording and swimming. All but Sergt. Owen L. Clements, Corpl. Michael F. Ring, Pvt. Perry M. Rhode, and Pvt. Chas. D. Wilton Best landed safely, but those named were drowned, their bodies being recovered about three days later.

This detachment was unable to find the two soldiers, though they searched many houses. Being informed that Carranza soldiers had taken them and would not maltreat them, the expedition return to the Texas side. On January 27, 1916, the Carranzista commander at Matamoras turned the two men over to United States Consul Johnson and they were soon back on Texas soil. A court-martial was convened to try the offending officers, who received some minor reprimand, and were detailed for more onerous duties elsewhere.

February 16, 1916, patrol of Company L, Twenty-eighth United States Infantry, at Penitas, 75 miles west from Brownsville and not far from Ojo de Agua, was fired on. No casualties.

June 15, 1916, patrol, Troop M, Third United States Cavalry, was fired upon between Roma and Arroyo del Tigre (about 125 miles west from Brownsville). No casualties.

From the date of the killing of Donaldson and Smith, in September, thousands of Mexicans and Mexican-Texans crossed from the Texas side to Mexico seeking safety and refuge. Many of these joined the raiders and bandits, and organization along the Mexican river front was constant and open. Until, finally, about the 20th day of October, the bandits had organized a substantial army of from 250 to 400 men and, with impunity, they paraded the river front between Reynosa and Matamoras, the commander of the Mexican Army feeling unable to cooperate with the Americans in suppressing the lawless bands or feeling helpless to deal with the Mexicans, or being indifferent.

In October Gen. Alfredo Ricaut assumed command at Matamoras and promised that there should be no further invasions of American territory from the Mexican side on the lower border. During his stay at Matamoras, from that date until June 14, 1916, there was a total cessation of hostilities on the part of the raiders, though several anticipated expeditions were nipped in the bud by Ricaut.

On June 14, 1916, a band of about 24 Mexican crossed into Texas 9 miles west from Brownsville at the place called Branchito, a ranch on the opposite side just opposite to Rancho Tahuachal on the Mexican side. They were discovered about 9 miles northeast of San Benito by Capt. Watson and a detachment of the United States Army, who fired into them. One Mexican was afterwards found dead. Immediately upon receiving information at Fort Brown Gen. James Parker, who on May 18, 1916, had taken command of the district of Brownsville, ordered Lieut. A. D. Newman, with 50 soldiers, or Troop H, Third

United States Cavalry, to go after the marauders. At 12 o'clock midnight on the 16th Newman and troop left Brownsville; at 4 o'clock on the morning of the 17th, coming onto tracks of the bandits and following them to the Rio Grande; at 9 a. m. the Americans crossed the river by swimming their horses. They followed tracks of the Mexicans, and at Pedernal Ranch, about a mile from the river, near the crossing, had a skirmish with some of them, killing two of the Mexicans. No casualties among the Americans.

On the 17th, at 1.30 p. m., Maj. Edward A. Anderson, with Troops E, Capt. John Read, jr., and Lieut. George H. Peabody; F, Lieut. E. C. McGuire; G, Capt. William S. Wells, and with Machine Gun Troop of the Third Cavalry, Capt. Oscar Foley, left Fort Brown, accompanied by 20 men of the Fourth United States Infantry; Lieut. Floyd R. Waltz, with two small boats loaded on motor trucks; and Lieut. J. H. Muncaster, with a complete wireless outfit. At about 6 p. m. the cavalry and machine gun troops crossed over at the Tahuachal Ranch crossing (longitude 97° 38', latitude 26°) and marched eastward toward Matamoros, encamping for the night at Ranch Pascualo, 3 miles east of the crossing and 7 miles west from Matamoros. Next morning, Sunday the 18th, orders from Washington recalled the American troops from Mexico.

After the machine gun troop and all but Capt. Read's troop of cavalry had crossed back to the American side, Carranzistas fired on the rear guard of the Americans. Upon orders from Col. Bullard, then at the scene, but on the American side in command of his regiment of the Twenty-sixth Infantry, the cavalry chased the Carranzistas eastward until the dust thrown up by their horses' hoofs shielded them so that it was impossible to locate them. In this encounter two Carranzistas were killed, one a subaltern officer. No casualties suffered by the Americans.

On the morning of the 18th, Col. Bullard, then at Harlingen, dispatched a battalion of the Twenty-sixth to Fort Brown and with the other battalions proceeded to protect Maj. Anderson's crossing. One boatload of his anxious Twenty-sixth Infantry had already reached the Mexican shore when the wireless conveyed the orders of withdrawal.

During the 24 hours' occupancy of Mexican territory by the Americans the city of Matamoros was thrown into a tumult of fear. Gen. Ricaut evacuated with his entire garrison and ordered every woman and child out of the city. By 1 o'clock, Tuesday, excepting a few pickets and a number of citizens who preferred to risk an American bombardment to the loss of their small savings at the hands of thieves and looters, the city of Matamoros for the first time in its history was almost completely deserted. Gen. Parker assured Gen. Ricaut that the Americans would under no circumstances bombard the city as long as women and children might remain in it, and that in any event due notice would be given in time to allow an evacuation. But he also insisted that these invasions must be stopped or there would be a likelihood of American invasion of Mexico; that the Americans were getting a little petulant over these persistent annoyances. Gen. Ricaut assured Gen. Parker that not a man should pass to the American side excepting at regular crossings, and that he would execute any caught in the acts of banditry. Since then peace has reigned supreme in the lower Rio Grande Valley.

The author believes that to the prompt act of Gen. Parker in showing the Mexican authorities that he was here to act, and the elimination of note-writing protests may be contributed the complete change in feelings of the Mexicans along the lower border; he believes that if such a crossing had been undertaken at the outset of the troubles when Blanco assassinated Alamillo at Rio Bravo, the American people, American property, and the American flag would always have been respected.

On June 15, 1916, about one hundred Mexicans crossed from Mexico into Texas at San Ignacio, 40 miles south of Laredo, Tex., and about 180 miles west of Brownsville at 2 o'clock a. m., and fired upon two troops of the Fourteenth United States Cavalry as they lay asleep. The Americans lost three killed: Pvts. Chas. Flowers, Edward Katonsh and James Minaden. Wounded: Pvts. Thomas H. Swing, James E. Rouch, Tony Havelya, Henry Mutasoff, P. W. Minnette, and Corp. William Oberlien. Troop M was fired upon, and then Troop I, a short distance up the river, dashed to its rescue. Maj. Gray was in command. Capt. Edgar A. Sirmeyer and Capt. Kyle Rucker, company commanders. Lieut. J. B. Coulter, Troop M. The bodies of 6 Mexicans were found. No account as to number of escaped wounded.

During the bandit troubles between August 4, 1915, and June 17, 1916, 100 Mexicans have been executed by the Texas Rangers and deputy sheriffs with-

out process of law. Some place the figures at 300. Most of these executions, it has been asserted, were by reason of data furnished the Rangers, implicating the particular Mexicans in the raids which were occurring.

On Sunday, June 18, 1916, the Washington Administration issued a statement referring to the disturbed conditions along the Mexican border, adding that in order to insure complete protection for all Americans, substantially all the militia organizations throughout the United States had been called out and would be sent to the border whenever and wherever Gen. Frederick Funston might determine.

On June 21, 1916, the attack on the Tenth United States Cavalry at Carrizal, Chihuahua, Mexico, by Gen. Gomez, took place. Immediately matters assumed a serious aspect. Excitement reigned throughout the Republic of Mexico, where the more ignorant broke out in hostile demonstrations against the Americans, in some places going so far as to order them to leave the Republic entirely. Rumors of the killing of Americans residing in Mexico became common. Carranza demanded the immediate withdrawal of Pershing's troops from Mexican soil. The Washington Administration flatly refused to heed this demand.

On the Lower Valley border, Gen. Parker demanded of Gen. Ricout that he arrest and punish the bandits who had attempted to violate our laws on the 15th of June and whose names were furnished by the former. On the 22d, Gen. Ricout answered that he would endeavor at once to arrest them; that he would cooperate with them (the Americans) and that he would punish any who might be guilty.

On June 23, 1916, the first body of Militia troops began to arrive in the Valley when Battery A, Dallas Field Artillery, Capt. Frederick A. Logan, arrived at Harlington and proceeded to Ringgold Barracks.

On June 24, Gen. Parker ordered traffic over the International bridge at Brownsville suspended.

On June 26, 1916, the Washington Administration demanded the delivery to the representatives of the United States Government, of the 17 troopers of the Tenth United States Cavalry who had been captured at Carrizal by the Carranzistas when they attacked the Americans.

On June 27, 1916, there were stationed along the Lower Rio Grande border under command of Gen. James Parker the following soldiers: Fourth United States Infantry, Col. E. E. Hatch; Twenty-sixth United States Infantry, Col. R. L. Bullard; Second Texas Infantry, Col. B. F. Delameter; Third Texas Infantry, Col. George P. Rains; Third United States Cavalry, Col. A. P. Blockson, commanding. Col. Blockson had been commanding officer of the lower valley from June, 1914; Battery A, Fourth United States Field Artillery; Battery A, Dallas Field Artillery.

Immediately State Militia from Virginia, Iowa, Illinois, South Dakota, Minnesota, Indiana, Nebraska, North Dakota, Louisiana, and Oklahoma began to pour into the valley. (See personnel under "Military movements in the valley.")

On July 12, 1916, the organization of the Thirty-sixth United States Infantry, which had been authorized during April, 1916, was begun at a point in Brownsville between West Brownsville and Brownsville proper contiguous to the main line of the St. L. B. & M. Ry. Officers: Col. Almon L. Parmenter, commanding; Lieut. Col. Paul A. Wolfe, Maj. H. B. Fiske, Maj. James V. Heidt, Maj. Edward A. Roche. Captains: Charles A. Thuis, Thomas C. Musgrave, Jesse Caston, David P. Wood, Roderick Dew, R. B. Hewitt, H. H. Bissell, M. E. Malloy, Fred H. Baird, W. C. Whitener, M. H. Shute, Fred A. Cook, G. H. Huddleston, E. L. Field. First Lieutenants: W. C. Langwill, G. C. Whiting, C. W. Elliott, C. M. Everitt, J. G. Thornell, A. W. Wilson, C. F. McKinney, E. G. Sherbourne, M. F. Davis, C. L. Richtel, N. R. Randolph, and Arthur L. White. First Lieutenants: W. J. McConnell and Harry Kalman Leow, surgeons, and later Lieut. R. R. D. McCullough was attached.

On July 13, 1916, Lieut. Col. Edward A. Anderson, recently promoted; Capt. Oscar Foley and Capt. John V. Spring, jr., recently promoted, left for San Antonio with 125 men to help form a new regiment, the Sixteenth United States Cavalry.

On July 31, 1916, the following troops were in the valley:

At Brownsville: Fourth United States Infantry; Third United States Cavalry; First Virginia Infantry; Second Virginia Infantry; First Iowa Infantry; Second Iowa Infantry; Third Iowa Infantry; First Illinois Cavalry;

battalion Virginia Field Artillery; battalion Iowa Field Artillery; Thirty-sixth United States Infantry, organizing.

At Mercedes and Llano Grande: First Indiana Infantry; One hundred and sixty-second Indiana Infantry; One hundred and sixty-third Infantry (Indiana); Fourth Nebraska Infantry; Fifth Nebraska Infantry; First Minnesota Infantry; Third Minnesota Infantry; North Dakota Infantry; battalion Louisiana Field Artillery; battalion Indiana Field Artillery; Minnesota Field Artillery; squadron Iowa Cavalry; troop Louisiana Cavalry; two troops Oklahoma Cavalry.

At San Benito: South Dakota Infantry; Louisiana Infantry; Oklahoma Infantry.

At Harlingen: Second Texas Infantry; Third Texas Infantry.

Gen. Edward H. Plummer, formerly of Twenty-eighth United States Infantry, was designated on March 17 to command all forces at Llano Grande.

Gen. James Parker, in command of the Brownsville district, with Capt. Frank R. McCoy, chief of staff, Capt. Cortlandt Parker, aid-de-camp, Lieut. W. C. Crittenburg, aid-de-camp, Lieut. Paul Raborg, aid-de-camp, Capt. Alfred Aloe, depot quartermaster; Lieut. Col. Fred D. Evans, adjutant general; Capt. A. L. Conger and A. Moreno, assistants to adjutant; Lieut. Col. J. T. Kirkpatrick, district surgeon; Lieut. Col. Frank Reynolds, sanitary inspector; Maj. F. E. Hopkins, district signal officer; Lieut. Col. George Howells, district engineer; Capt. L. D. Gasser, depot quartermaster.

### TESTIMONY OF S. S. DODDS.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Give your full name, please?

Mr. DODDS. S. S. Dodds.

The CHAIRMAN. Citizen of the United States?

Mr. DODDS. Yes, sir.

The CHAIRMAN. Native born?

Mr. DODDS. Yes, sir.

The CHAIRMAN. Of what State?

Mr. DODDS. Vermont.

The CHAIRMAN. How long have you been in Texas?

Mr. DODDS. About eight years.

The CHAIRMAN. Where have you lived in Texas?

Mr. DODDS. San Benito.

The CHAIRMAN. On the border or near the border?

Mr. DODDS. Near the border; yes, sir.

The CHAIRMAN. During the last few years have you come in contact with any disturbances along the border?

Mr. DODDS. Yes, sir.

The CHAIRMAN. Can you mention any in particular which attracted your attention?

Mr. DODDS. Yes, sir; the one at what is known as Fresno pump attracted my attention very much.

The CHAIRMAN. What was the date, do you remember?

Mr. DODDS. I do not remember; I think it was either the 1st or 2d day of September.

The CHAIRMAN. What year?

Mr. DODDS. Four years ago, last September, 1915, I guess.

The CHAIRMAN. What occurred, if anything, at that time, that impressed itself upon your memory—in the first place, what were you doing there?

Mr. DODDS. I had the contract for the construction of a pumping plant at a point about eight miles from the border, and just had

the work well under way, and one morning about 9 o'clock we were held up by a band of armed men.

The CHAIRMAN. Where did they come from, if you know?

Mr. DODDS. Why, subsequently I found out they came from Matamoros.

The CHAIRMAN. Then they were Mexicans?

Mr. DODDS. Yes, sir.

The CHAIRMAN. Do you mean they came from Matamoros, Mexico?

Mr. DODDS. Yes, sir.

The CHAIRMAN. What did they do—you say you were held up?

Mr. DODDS. Well, I was actively jetting out some construction work, construction details, and the first I knew they threw a gun on me, threw a rifle on me, two men threw a rifle on me, and afterwards others congregated from the brush, and it was a very brushy country, just the raw chaparral country.

The CHAIRMAN. How many were there all together?

Mr. DODDS. About 25 armed men.

The CHAIRMAN. How many men, if any, were with you?

Mr. DODDS. Of my employees?

The CHAIRMAN. Yes, sir; or others around in that vicinity?

Mr. DODDS. There were none others except my employees right there, probably 10 or 12 men.

The CHAIRMAN. Among them were Americans?

Mr. DODDS. Yes, sir; one by the name of Smith.

The CHAIRMAN. A man by the name of Donaldson with you?

Mr. DODDS. No, sir; he came up later.

The CHAIRMAN. Now, just tell us what occurred there at that time, after these men threw their guns on you?

Mr. DODDS. Why, we were in a deep excavation and we came out and they took our valuables and lined us up—we thought to shoot us—and one of this bunch had worked for me at one time or other, and would not stand for them executing us at that time, and we waited around a little while, and they burned the house that I had there and destroyed more or less property and an automobile.

The CHAIRMAN. An automobile?

Mr. DODDS. Yes, sir; and we were down between two levees of a new irrigation canal, most of the gang, and Donaldson drove up on a farm wagon going to town for a load of lumber; he was a new-comer down in the country, possibly two or three weeks, and they surrounded him and cut his team loose and drove us down the canal right of way; we marched down the canal right of way for a couple of miles and milled around more or less to about noon—I think I was captured about 9 o'clock. I did not have a watch; I do not know exactly to the minute or hour, but about noon Smith and Donaldson were executed and—

The CHAIRMAN. By whom?

Mr. DODDS. By four of the gang—four of the bunch. From there we went into a little clearing, a little resaca, a clearing or depression in the ground, and a steer was tied there and a bunch of jerked beef, and an oat sack full of tortillas, and we had lunch, and I was treated very considerably, and we stayed around there two or three hours and started out in the general direction of the coast on the old Alice road, and at that point a posse of civilians and soldiers intercepted



this gang as we were crossing the clearing, and during the fight that ensued I escaped.

The CHAIRMAN. Any casualties during the fight?

Mr. DODDS. I understand that one Mexican was killed during the fight. I was busy getting away.

The CHAIRMAN. What were the circumstances in the execution of Smith and Donaldson?

Mr. DODDS. There were no circumstances; they just were out of luck and had no friends. They happened to be Americans.

The CHAIRMAN. They just lined them up and shot them?

Mr. DODDS. They took them out in the brush, probably 30 feet from the edge of the clearing, and shot them.

The CHAIRMAN. Do you know who any of these men were?

Mr. DODDS. Yes, sir; I know the man in command was Aniceto Pizana.

The CHAIRMAN. You say you understand that you learned later they were from Matamoros, Mexico; do you know whether any of them were Carrancista soldiers or officers?

Mr. DODDS. Why this man Pizana was dressed in a uniform that is sometimes worn by Mexican soldiers or officers, they were armed with Mauser rifles, about half of them, and the other half with the typical American sporting rifle, 30.30, or similar weapons.

The CHAIRMAN. You are familiar with the Mauser rifle, are you?

Mr. DODDS. Why, I know one when I see it; I never used one.

The CHAIRMAN. So you know the old Mauser rifle?

Mr. DODDS. Yes, sir.

The CHAIRMAN. You were not in any other difficulties down there, were you; or do you know the general conditions along the border?

Mr. DODDS. I know the general conditions. I was not mixed up in any bandit raids there after that chasing around trying to intercept them. It may be of interest to this committee to know that before these men were shot they were asked if they were Germans.

The CHAIRMAN. They were?

Mr. DODDS. No, sir; they were not. The Mexicans asked them if they were "Alemanes."

The CHAIRMAN. The Mexicans asked them if they were Germans?

Mr. DODDS. Yes, sir.

The CHAIRMAN. By Pizana?

Mr. DODDS. No; by some of the men.

The CHAIRMAN. And their answer was what?

Mr. DODDS. No; they did not know at the time that it might have saved their lives.

The CHAIRMAN. Did they tell what nationality they were?

Mr. DODDS. No, sir; they did not make any answer; they just shook their heads.

The CHAIRMAN. And then they were shot?

Mr. DODDS. Yes, sir. There is no question but what these men came from Matamoros.

The CHAIRMAN. Mexico?

Mr. DODDS. Mexico.

The CHAIRMAN. Do you know of any effort on the part of the Carranza Government on the other side to prevent these raids?

Mr. DODDS. No, sir; I do not suppose any effort was ever made during the time that Gen. Nafarrate was on the border; I do not

think any effort was ever made to stop them; in fact, I think they were assisted from over there; the Mauser rifles were right new, they were carried more or less, and these dynamite pipe bombs, they were used along the border, bombs made of an inch and a half piece of pipe with a stick of dynamite inside.

The CHAIRMAN. I believe that is all, Mr. Dodds, unless you have something further.

### TESTIMONY OF LON C. HILL.

(The witness was sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Give your full name to the reporters, please?

Mr. HILL. Lon C. Hill.

The CHAIRMAN. Are you a citizen of the United States?

Mr. HILL. I am.

The CHAIRMAN. Of what State are you a native?

Mr. HILL. I was born in Texas.

The CHAIRMAN. Lived in Texas practically all your life?

Mr. HILL. Yes, sir; practically so.

The CHAIRMAN. Where do you live?

Mr. HILL. Harlingen, in Cameron County.

The CHAIRMAN. Are you familiar with the conditions along the border between Mexico and Texas during the last few years, principally from 1913 to the present time?

Mr. HILL. Yes, sir.

The CHAIRMAN. Have you ever known of any raids from the other side—that is, from the Mexican border to the American side?

Mr. HILL. Yes, sir.

The CHAIRMAN. What was the first raid of which you have any knowledge?

Mr. HILL. Well, Senator, there were bunches of men came over there along—you might say along in April or May, along in that time, and stealing cattle and supplies and a lot of stuff, oh, there were numerous of them, but the first time that a good big crowd came over and done any real depredations was when they robbed Peterson's store out west of Lyford about 8 or 9 miles from where I live—west of Lyford or Sebastian, in that country there.

The CHAIRMAN. About what date?

Mr. HILL. Really, I do not know; really, I could not tell you the exact date, it was somewhere along in June, about that time.

The CHAIRMAN. Then after that?

Mr. HILL. Then after that at intervals they were coming all the time.

The CHAIRMAN. Do you know anything about a band of Mexicans being seen in the month of May, 1915, in the vicinity of Rancho de los Indios west of Sebastian, Cameron County, and north of Brownsville?

Mr. HILL. Yes, sir.

The CHAIRMAN. Do you know whether any effort was made by the citizens or officers to overtake and interrogate or talk to these people?

Mr. HILL. Yes, sir; Mr. Vann, the sheriff, and he had quite a lot of deputies, and they heard of these bands—these bands being out

there and doing a lot of stealing—and they went out there and went all over this country there and they tried to find them there for quite a bit.

The CHAIRMAN. And were not able to overtake them?

Mr. HILL. No; they found out afterwards why they could not overtake them.

The CHAIRMAN. Why?

Mr. HILL. Well, every Mexican in the country was in sympathy with them, for them; and Mexicans that we would get to guide, of course, they would just take you around somewhere else, and they never did catch anybody until we let the Mexicans alone, and then we got to catching them.

The CHAIRMAN. Did you know anything of the death of Bernard Boley about July 17, 1915?

Mr. HILL. Yes, sir. Bernard Boley was killed at Raymondville, east of Raymondville, there on what is known as San Francisco Ranch, owned by Gano.

The CHAIRMAN. Was there any investigation made as to the cause of his death?

Mr. HILL. Yes, sir; the officers and the people went out there and investigated it, and he was shot down there.

The CHAIRMAN. By whom?

Mr. HILL. He was killed by Mexicans.

The CHAIRMAN. From the other side of the river?

Mr. HILL. Well, all these bands—numbers of these bands.

The CHAIRMAN. Do you know anything about an occurrence at the store of Nels Peterson on or about July 12, 1915?

Mr. HILL. Yes, sir; that was the one I referred to a little while ago.

The CHAIRMAN. What occurred there?

Mr. HILL. Well, they just went up there to Peterson's store and robbed the post office and went in there and just got what they wanted and loaded up with sacks and took everything in the world they wanted and went on off.

The CHAIRMAN. Any investigation made to ascertain where these people were from?

Mr. HILL. Oh, yes.

The CHAIRMAN. What was the result?

Mr. HILL. Well, they were just these bandits.

Senator SMITH. Where were they coming from?

Mr. HILL. From the other side, from the other side of the river; they claim that was their headquarters.

The CHAIRMAN. Do you know anything about the burning of a bridge on the railroad just south of Sebastian, in July, 1915?

Mr. HILL. Yes, sir.

The CHAIRMAN. Any investigation made as to who burned it, if anyone?

Mr. HILL. That bridge was burned in the morning, the train was right there, and that bridge was—the train went up, and I saw the train back back, and I went up there and we asked them what was the matter, and they said the bridge was on fire, and we went up there and it was, too. It was about 2 miles from where I live, and of course there was not anybody there, but you could see where there was a crowd down there, you could see the horse tracks, and see where

they had come in and see the foot tracks, and see there were about, I suppose, 30 or 40 head of horse tracks.

The CHAIRMAN. Any attempt made to trail them to see where they went?

Mr. HILL. Oh, yes, sir.

The CHAIRMAN. Which direction did they go?

Mr. HILL. Well they went to the east—went down toward the arroyo.

The CHAIRMAN. They were never overtaken?

Mr. HILL. No, no; they were never overtaken. They burned those bridges down there, Senator; out there three different times, right in that same neighborhood.

The CHAIRMAN. Do you know anything about a conflict—armed conflict between soldiers and citizens and bandits on or about August 2, 1915, near or at Rancho Tule?

Mr. HILL. Yes, sir.

The CHAIRMAN. Where is Rancho Tule?

Mr. HILL. Well, that is a ranch down north of Brownsville about 22 miles. That ranch is one of my ranches.

The CHAIRMAN. On the American side of the line?

Mr. HILL. Yes, sir.

The CHAIRMAN. Well, what occurred there on that ranch at that time, if anything?

Mr. HILL. Well, there was a Mexican living there by the name of Aniceto Pizana; he was living there on this ranch of mine about 12 or 15 years, and the officers and people had heard of these people coming in there and congregating in that country, and they had located a band the evening before—quite a band of them—right there close to his place, and they came in and reported that they were there at this ranch; so soon the next morning a detachment of soldiers under Lieut. Lutz, and I think Mike Monahan was in the crowd, and Joe Taylor, and Jess Scrivner, and several others of them; and they rode up to that ranch about a little before sun up and these bandits were there and some of them were across the resaca and some of them were in the house and some of them were in the stock pens—in the cow pens—and when they saw these soldiers and citizens and officers come up there they just opened fire on them and they killed McGuire, a young man who lived at San Benito, and shot one or two others.

The CHAIRMAN. Was Deputy Sheriff Monahan there, you say?

Mr. HILL. Yes, sir.

The CHAIRMAN. Did he receive any injuries in that fight?

Mr. HILL. Yes, sir; they shot Mike.

The CHAIRMAN. Was a man by the name of Longoria in the posse, Joe Longoria?

Mr. HILL. Yes, sir; Joe Longoria; he was a deputy sheriff.

The CHAIRMAN. Did he receive any injuries in that fight?

Mr. HILL. Really, Senator, I do not know.

The CHAIRMAN. Pvt. McGuire that you referred to was a private in the Twelfth Cavalry, was he not?

Mr. HILL. Yes, sir; he had just joined the Army and he was killed.

The CHAIRMAN. What became of Pizana and his band?

Mr. HILL. Why, just as soon as they got those fellows back, they just backed off in the brush, and just went on—they just went on in the brush.

The CHAIRMAN. You do not know where they went to?

Mr. HILL. No, sir.

The CHAIRMAN. Do you know anything about the robbery of Alexander's store on August 6, 1915?

Mr. HILL. Yes, sir.

The CHAIRMAN. That was at San Sebastian?

Mr. HILL. Yes; that was at Sebastian; yes, sir.

The CHAIRMAN. Was there any attempt made, or do you know whether they captured anybody of the band that robbed the store?

Mr. HILL. Yes, sir; there was a band of 25 or 30 went in there, and they first went into a beer saloon out there and robbed that and took what they wanted, and then they went into Alexander's store, and the post office across the track, and got what they wanted out of there, and then several went up to where Mr. Austin and his son and several other people were fixing up a corn sheller, and they took Mr. Austin and his son captives and went away with them.

The CHAIRMAN. What did they do with them, what became of this Mr. Austin and his son, if you know?

Mr. HILL. Well, they went out southeast of town there, of this store, about a mile and a half, where Mr. Austin's family lived, right on Mr. Austin's place where his wife and family and children were and there they executed Mr. Austin and his son.

The CHAIRMAN. Was a young man by the name of Millard, or some such name along with them?

Mr. HILL. Well, there was another man or two, I forgot that.

The CHAIRMAN. And the same band, you say, killed the two Austins?

Mr. HILL. Yes, sir.

The CHAIRMAN. Were they ever discovered—that is, do you know—do people know who this band were?

Mr. HILL. Oh, yes; there were several of them identified there, they soon found who the biggest number of them were; that is, those that lived on this side of the river.

The CHAIRMAN. Some of them were identified as living on this side of the river?

Mr. HILL. Yes, sir.

The CHAIRMAN. Was Pizana along with them?

Mr. HILL. I really could not say, Senator.

The CHAIRMAN. Do you know anything about an attack on the night watchman at a gin at Lyford, Tex., on or about August 7, 1915, the day after this occurrence?

Mr. HILL. Yes, sir; that was after—I was right there near by when they shot at him that night.

The CHAIRMAN. Was the name of the night watchman Jensen—Charles Jensen?

Mr. HILL. I think that was the name.

The CHAIRMAN. Was he wounded?

Mr. HILL. Yes, sir; they shot this fellow.

The CHAIRMAN. On the same date; that is, about August 6, 1915, do you know anything about an attack on an automobile near Los Fresnos, 12 miles from Brownsville?

Mr. HILL. Yes; I think they attacked several automobiles out there; I think this was one that Conrad was in.

The CHAIRMAN. Do you know anything about an attack upon an automobile at that time that was occupied by Sonny Huff, or did you hear of that?

Mr. HILL. I heard of it, but I didn't know——

The CHAIRMAN. Didn't know about that?

Mr. HILL. No, sir; I was not out there in that part of the country.

The CHAIRMAN. You were not out there, Mr. Hill?

Mr. HILL. No; I was not out there.

The CHAIRMAN. Do you know anything about an attack on or about August 8 at Las Norias flag station, about 75 miles north of Brownsville?

Mr. HILL. Yes, sir.

The CHAIRMAN. What occurred there?

Mr. HILL. Well, there was a band of Mexicans, this same band, a lot of this band that had shot up Conrad, they had all collected down there on the Arroyo Paso Real, and they had heard of them being out in that country, and they went over there north, and went by the Nopal ranch and captured a Mexican or two there, and——

The CHAIRMAN. Who went?

Mr. HILL. This band of Mexicans who captured a Mexican or two there and carried them with them, and then they went on, still going north or northwest, and there was some people out there looking for them, and Sunday evening about three hours by sun there was five or six or seven or eight men in this ranch at Norias and they were attacked by about, I don't know, there were 60 or 70 or 80 bandits horseback.

The CHAIRMAN. What occurred; were any of the Americans killed that Sunday?

Mr. HILL. No; they were not.

The CHAIRMAN. Any of the other fellows get hurt?

Mr. HILL. Well, I got there just about dark, and Jim Forbes was shot and Frank Martin he was wounded, and they were the only two that were seriously wounded.

The CHAIRMAN. Were there any of the outlaws killed?

Mr. HILL. Yes, sir; there was a few of them killed. I saw all of them that were killed; only one of them that I recognized; only one of them that I knew that was killed.

The CHAIRMAN. The others were strangers?

Mr. HILL. They were strangers.

The CHAIRMAN. Now, Mr. Hill, as a matter of fact you practically knew most of the Mexicans in that neighborhood that lived on this side?

Mr. HILL. Yes, sir; I have lived there and been working them by the thousands and thousands, and I think I knew every Mexican in Cameron County—that is, the lower part of it. I do not know, there was five or six or seven or eight killed there, and the one I recognized was Jesus Garcia; he lived at the Cortillo ranch, near San Benito.

The CHAIRMAN. Do you know anything about the firing on a patrol of soldiers at Palm Garden, west of Mercedes, on or about August 10, 1915?

Mr. HILL. Yes, sir.

The CHAIRMAN. Was one of the soldiers killed there? Waterfield, do you remember?

Mr. HILL. Yes, sir; this one soldier killed there, and afterwards—a day or two after that—right in that same neighborhood they killed a young American there, one that went out to get a bucket of water out of the canal one morning, and they killed him. I have forgotten just what his name was.

The CHAIRMAN. Do you know anything of the destruction of a bridge by fire—well, that is the same bridge, I presume, about 12 miles north of Brownsville? You said one had been destroyed about three times?

Mr. HILL. No; I said above Harlingen they burned about three bridges. This bridge you are talking about is north of Brownsville.

The CHAIRMAN. Yes.

Mr. HILL. Yes, sir; they burned two bridges north of Brownsville, between Brownsville and San Benito.

The CHAIRMAN. Do you know anything about any occurrence at the second pump, the lift pump plant of the Fresno Canal Co., about 12 miles north of Brownsville, on or about September 1, 1915?

Mr. HILL. Yes, sir.

The CHAIRMAN. About how many bandits were in that bunch?

Mr. HILL. I thought there was about 35 or 40.

The CHAIRMAN. Did they destroy buildings there by fire?

Mr. HILL. Well, they burned up two bridges there and some works—some construction works.

The CHAIRMAN. Did you know Mr. Dodds?

Mr. HILL. Yes, sir.

The CHAIRMAN. And Mr. Smith?

Mr. HILL. John Smith; yes, sir.

The CHAIRMAN. Do you know whether they were taken prisoners by this band?

Mr. HILL. Yes, sir; they took Dodd and John Smith and a young man by the name of Donaldson.

The CHAIRMAN. And two Mexicans?

Mr. HILL. Yes, sir; they took some Mexicans with them.

The CHAIRMAN. The statement which the committee have says that they started toward the little village called Los Fresnos, where a few American farmers had settled, and en route they met Mr. Donaldson.

Mr. HILL. Well, they did; they took Donaldson and those fellows and went off down east of there and stopped and ate dinner, and they executed John Smith and Donaldson.

The CHAIRMAN. This is the same—you heard Mr. Dodds's testimony, didn't you?

Mr. HILL. No, sir; I did not.

The CHAIRMAN. You did not?

Mr. HILL. No, sir.

The CHAIRMAN. At any rate, he testified to this occurrence. Do you know anything about an attack on Americans near Lyford on September 10, 1915, and the killing of two of the bandits?

Mr. HILL. I don't remember that particularly—

The CHAIRMAN. You do not remember the date?

Mr. HILL. I don't remember that particular case.

The CHAIRMAN. This is one of the cases that has been identified here, the statement as being correct, being identified by Capt. Kile. Do you remember about an attack upon the Galveston ranch on or about September 15?

Mr. HILL. Yes, sir; I remember that.

The CHAIRMAN. Do you know where the Galveston ranch is—about 24 miles west of Brownsville, something like that?

Mr. HILL. Yes, sir—yes, sir; within about a mile of my property there; yes, sir.

The CHAIRMAN. What occurred there?

Mr. HILL. Well, they had a troop of either Infantry or Cavalry. I believe—it wasn't a troop either, but a few of them—I forget what it was.

The CHAIRMAN. About nine?

Mr. HILL. I forget what they called it, but they had a few—8 or 10 or 12—soldiers there, and those Mexicans just came there and attacked them, shot a lot of them—I think maybe killed two of them if my recollection serves me right.

The CHAIRMAN. You heard of the killing of Private Anthony Kraft, of the Third Cavalry, at that time?

Mr. HILL. Yes, sir—I didn't hear of it; I was there a little while after it happened.

The CHAIRMAN. Do you know anything about an attack upon a lady living near Harlingen about September 28, 1915?

Mr. HILL. Well, along about that time there were three or four Mexicans straggling through the country there a few miles east of Harlingen, that went there to her house, and they did something; I think stabbed her or cut her two or three times with a knife. I suppose that is the same occurrence you are talking about.

The CHAIRMAN. I presume so. I am endeavoring to follow along the statements that we already have, as having been checked up by the Intelligence Department here.

Mr. HILL. Oh, yes. All right.

The CHAIRMAN. Do you know about the derailing of the train north of Brownsville on or about October 18, 1915?

Mr. HILL. Yes, sir.

The CHAIRMAN. About how many were there in the—was the train attacked?

Mr. HILL. Yes, sir. They derailed that southbound passenger train at night and wrecked it, and the engine went off in the ditch, and then they shot into the train and went through the train and shot a lot of passengers.

The CHAIRMAN. Do you know Dr. E. S. McCain?

Mr. HILL. The health officer? Yes, sir.

The CHAIRMAN. What happened to him at that time?

Mr. HILL. Well, they just shot him up two or three times, and he died the next day.

The CHAIRMAN. Killed him?

Mr. HILL. Yes, sir.

The CHAIRMAN. Do you know Harris Wallis?

Mr. HILL. Yes, sir.

The CHAIRMAN. Former Ranger?

Mr. HILL. Yes, sir.



The CHAIRMAN. What, if anything, happened to him at that time?

Mr. HILL. Well, they shot Harris three or four times, all up and down the left side and in the arm.

The CHAIRMAN. Do you know John Kleiber, the district attorney?

Mr. HILL. John Kleiber? John R. Kleiber?

The CHAIRMAN. Yes.

Mr. HILL. Yes, sir.

The CHAIRMAN. Was he there about that time?

Mr. HILL. Yes, sir; he was there. They took John's shoes off of him, I think.

The CHAIRMAN. Did they shoot him up?

Mr. HILL. No—no.

The CHAIRMAN. Do you know what happened to Corpl. McBee, who was on the train?

Mr. HILL. Yes, sir. He was a soldier, went up to Corpus, I think, on a few days' trip, and on his return he was on the train, and they shot his brains out and killed him.

The CHAIRMAN. Do you know of any other soldiers who were shot at that time—Brashear?

Mr. HILL. Well, I don't know them personally, I just knew—

The CHAIRMAN. You knew they were shot?

Mr. HILL. Oh, yes; yes, sir; I knew they were shot. And I knew the engineer who was killed there, too. He was a very warm personal friend of mine.

The CHAIRMAN. That was Kendall?

Mr. HILL. Yes, sir.

The CHAIRMAN. Do you know about an attack on the soldiers' camp at the oil well, a few days after the wrecking of this train?

Mr. HILL. Yes, sir. They had some soldiers there, guarding that bridge—they had burned it and rebuilt it, and they had some soldiers there, and they came up there and shot them up a lot.

The CHAIRMAN. Did they wound one of them so that he died?

Mr. HILL. I don't particularly recollect about that, but—

The CHAIRMAN. Yes, we have the evidence as to that killing. Do you know anything about a band of 24 Mexicans crossing into Texas on or about June 14, 1916, nine miles west of Brownsville at a place called Ranchito?

Mr. HILL. Yes, sir.

The CHAIRMAN. The statement which the committee have had testified to is to the effect that they were discovered northeast of San Benito by Capt. Watson, and a detachment from the United States Army fired into them, and that one Mexican was afterwards found dead; that Gen. Parker, who had then taken command of the district, ordered Lieut. Newman, with 50 soldiers, to go after the marauders; that Newman left Brownsville about 12 o'clock midnight on the 16th; do you know where he followed those raiders to?

Mr. HILL. Why, Senator, we knew that those people were going to come across the river, before this happened, and we were all sitting there waiting for them.

The CHAIRMAN. Coming across the international boundary? \*

Mr. HILL. Yes, we knew they were coming, and they were going—they were going to meet at this ranch, the Cortillo ranch, where this Mexican, Juan Garcia, was killed, that was killed at Norias.

There were several—three or four—men there at that ranch, including Col. Bullard, who was then in command of the Twenty-sixth; and this Lieut. Watson—he was instructed to go up to this ranch, but instead of his going to this ranch, he stopped up there at another place for some reason or other, where a man by the name of Scott Brown lived, and as he was going on down to this Cortillo ranch he ran into this bunch of Mexicans and had this fight, and they shot one of them as soon as they hit there, and they ran—they went down the resaca. We got after them, and they went down the resaca, and we followed them down to Los Fresnos. They scattered out there. We captured a great deal of their equipment, their horses, and the like of that.

The CHAIRMAN. Did you capture any arms?

Mr. HILL. Yes, sir; we captured quite a lot of arms and ammunition. And then, after they found them out there, then Col. Bullard notified Gen. Parker, and then they crossed that Ranchito. Some of them went back that way, and a lot of them went into Mexico.

The CHAIRMAN. Then the American soldiers, under Lieut. Newman, crossed over into Mexico after them?

Mr. HILL. Yes, sir; and a whole lot more of them went over. I went with them.

The CHAIRMAN. Did you find them?

Mr. HILL. Well, we found lots of Mexicans over there?

The CHAIRMAN. Did any skirmish at any time take place about the Pedernal ranch between these American soldiers and Mexicans?

Mr. HILL. Do you mean, across the river?

The CHAIRMAN. Across the river?

Mr. HILL. Yes, sir; they were shooting all day and all night long around in that country there.

The CHAIRMAN. Maj. Anderson, Capt. Read, Lieut. George H. Peabody, Lieut. McGuire, Capt. Wells?

Mr. HILL. Yes, sir.

The CHAIRMAN. Machine gun troop, Capt. Oscar Foley, all of them joined in them?

Mr. HILL. Yes, sir. Maj. Anderson, he went across with the Cavalry.

The CHAIRMAN. Yes.

Mr. HILL. And so, that night, Col. Bullard loaded up and took a company of his regiment, machine-gun platoon, down there, and hospital corps, and signal corps, and got in there about 3 o'clock in the morning and began shooting in there—over there all night long—they stayed over there; the next morning—

The CHAIRMAN. That was Sunday?

Mr. HILL. I don't recollect what day it was, now, Senator, but I know the next morning they fixed up the machine gun there and Bullard was—they had put up the wireless—and Bullard was crossing his infantry. I think he notified Gen. Parker that he was there and that was what he was doing, and what Anderson was doing, and what Newman was doing, and all like that; then Parker—or not Parker—but Frank McCoy, wired him to withdraw out of Mexico.

The CHAIRMAN. Well, now, after they received their orders to withdraw, and when they were crossing and all, and Capt. Read's troops had reached the American side, were they fired on?

Mr. HILL. Oh, yes; yes—what they term, what they call in military affairs—he covered the retreat.

The CHAIRMAN. Did any of Capt. Read's men turn back and return the fire of the Carrancistas?

Mr. HILL. Yes, sir.

The CHAIRMAN. In this encounter, the statement which we have says that two Carrancistas were killed; one of them being a subaltern officer.

Mr. HILL. Yes, sir; there were some of them killed.

The CHAIRMAN. Now, what was the general condition about that time among the citizens on the border down there—did they feel safe under the protection of their flag?

Mr. HILL. No, sir; no. They were just in this fix, gentlemen: All the Americans down in that country, the biggest part of them, they were going this way [indicating].

The CHAIRMAN. Which way?

Mr. HILL. Up north, up the railroad, getting out of that country. And all the Mexicans were going that way [indicating toward Mexico], and the people, they came into town and lived—the people that lived out in the country.

The CHAIRMAN. They brought their women and children into town?

Mr. HILL. They brought their women and children into town, and a great many just got on the train, left their chickens and hogs and cows, and everything else, and just went to Corpus and San Antonio, and went from there to Canada—just scattered all over the country; there were some places there just absolutely depopulated—wasn't anybody there.

The CHAIRMAN. And this was all on the American side?

Mr. HILL. Oh, yes.

The CHAIRMAN. In the State of Texas?

Mr. HILL. Oh, yes.

The CHAIRMAN. Did you have any losses there in property to any extent yourself?

Mr. HILL. Well, yes. I had a sugar mill there. I built a few years before that, and it was burned up; cost me about—my loss was about a half million dollars; no insurance. We were in a pretty bad fix down there, Senator; the life insurance companies wanted to cancel our life insurance and the fire insurance companies would cancel all they had.

The CHAIRMAN. What were the objects of those raids? Do you know?

Mr. HILL. Well, Senator. I will tell you, that is a question that bothered us down there for a good little while. What were they up to? Now, when the thing first started we couldn't understand—we couldn't understand why those fellows there would want to come over there and steal a few cows, and things like that, and run across the river; but when we found out that there was 25 or 30—and those Mexicans in that country were well to do Mexicans, and they were affiliated by marriage and by blood relation to some of the most prominent people in that country—they were what we called a lot of honorable, high-class Mexicans, that we all had confidence in and whom we believed to be good citizens. We got to investigating this

proposition, and we found out that they had been sending off a lot of money through the post office and other ways—men like Pizana, and all those fellows—that Mexican Pizana, he was looked upon—I knew him intimately—I looked upon him as an honorable, and a high-class and as straight a Mexican citizen as there was in that country. He was a man that was unusually well fixed. Now, they would go and send money from Bay City, and they sent a world of money to Los Angeles, Calif., to—some of that money went to a firm known as the Magnon Bros.—

The CHAIRMAN. Magon Bros.

Mr. HILL. What?

The CHAIRMAN. Magon.

Mr. HILL. I think it was Magon or Magnon; something like that.

The CHAIRMAN. Ricardo Magon.

Mr. HILL. I think he is the fellow. Well, they sent worlds of money over there, and they had all kinds of literature from California on this I. W. W. stuff.

The CHAIRMAN. You are familiar with the Spanish language?

Mr. HILL. Yes, sir.

The CHAIRMAN. Did you ever see any copies of the paper known as or called *Regeneracion Publica* in circulation down there?

Mr. HILL. I can not identify, but we used to get that stuff by the sackful, you know. Well, now, they would send this money off, and then they would order guns and ammunition—now, I know three or four occasions that there were 351 automatic Winchesters and other ammunition—lots of it, you know—and it kind of got noised around, you know; they found out that they were trying to take that country, you know, and they said they were going to run all of the Gringos out of there, you know. Well, to my mind and to the other fellows', that was absolutely inconceivable, you know, how a bunch of Mexicans would take a fool idea in their heads that they were going to kill all those Americans and take all that country, you know; it was just laughable to us, you know, that they really meant it. But they were coming over there—they would tell us—well, they were coming over here in bunches and take your horses and burn up your houses and kill you and then, after a while, they were just going to come over in a great big army and take the whole country.

The CHAIRMAN. That is, come over from Mexico?

Mr. HILL. Well, they just talked about coming over; that is the way they talked. Well, of course, the inside dope, you know, we could never get it from the leaders, you know, because we could never get in touch with them—get our hands on them, you know; but we would get hold of some fellow, and they would tell us, and there was no two ways about it but what they had gone into the minutest details with all these folks in sympathy with them; what their object was and what they were going to do—because there were so many of them that would practically tell the same facts, and there is no doubt, either, but what the majority of Mexicans on this side of the river in Texas sympathize with them and rendered them every aid and comfort within their power; and you catch some of those fellows and ask them what in the name of goodness is the matter with you Mexicans; are you all going crazy here? Well, what are you up to; what are you going to do? "Well," they

said, "we have organized, and we have got some foreigners going to help us, and we are going to take all the land back that you Gringos stole from us before the constitution of 1857."

The CHAIRMAN. What terms did they use to describe these foreigners?

Mr. HILL. Well, "enrejados"—something like that.

The CHAIRMAN. Extranjeros?

Mr. HILL. That is it; that is the name.

The CHAIRMAN. Well, you are familiar with the Mexicans as a race. Do the Mexicans with whom you are acquainted, by the term "extranjeros," do they mean Mexican citizens?

Mr. HILL. No; they don't.

The CHAIRMAN. Do they mean Americans?

Mr. HILL. No; they don't; them fellows didn't; they meant Alemans, to come out and tell you the right of it.

The CHAIRMAN. Aleman means a German?

Mr. HILL. Aleman means a German. They would tell you they had instruction not to kill any Germans and not to molest any Germans and they would tell us—there was a whole lot of Germans in that country and there were about—there was a whole raft of Germans came down there and lived down there, and on both sides of that river, too. Now, when a Mexican uses that term he didn't mean a local Mexican there, nor did he mean a gringo, nor did he mean a Mexican on the other side of the river.

The CHAIRMAN. No; the term "gringo" is applied to the Americans?

Mr. HILL. Absolutely.

The CHAIRMAN. And they did not use the term "extranjeros" for Americans?

Mr. HILL. No; they did not mean it, nor didn't mean it for Mexicans on the other side of the river, but they mean "Alemans."

The CHAIRMAN. Germans.

Mr. HILL. Because they said they had instructions not to kill any Germans nor molest any Germans.

The CHAIRMAN. They call a German an Aleman?

Mr. HILL. An Aleman; yes, sir. They—well, some others would say that they were going to take the country between the Rio Grande and the Nueces, and they had it all framed up, had their state organizations, they would tell you who they were—the governors, lieutenant governors, and who were going to be the generals, judges, and all those things.

The CHAIRMAN. There was a little dispute about 1848 concerning the Nueces and the Rio Grande?

Mr. HILL. Yes, sir.

The CHAIRMAN. About the boundary between this country and Mexico?

Mr. HILL. They would just sit right down and tell you about it. that it was stolen—that is the way they feel about it.

The CHAIRMAN. And they were going to take it back?

Mr. HILL. Yes, sir; and the Aleman was going to help them. furnish them ammunition, money, and everything.

The CHAIRMAN. Mr. Hill, I think that just for the present—the committee may desire to recall you, but just for the present we thank you very much.

Mr. HILL. Well, Senator, I would like to get out of here by 11 o'clock, if possible.

The CHAIRMAN. Well, we will let you know in plenty of time.

Mr. HILL. All right, I thank you very much.

### TESTIMONY OF MIKE MONOHAN.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

The CHAIRMAN. Mr. Monohan, where do you live?

Mr. MONOHAN. Brownsville.

The CHAIRMAN. In this State?

Mr. MONOHAN. Brownsville, Tex.; yes, sir.

The CHAIRMAN. You are a native citizen of this country, the United States?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. Of what State?

Mr. MONOHAN. Texas.

The CHAIRMAN. Were you living around Brownsville in 1915?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. What official position, if any, did you hold?

Mr. MONOHAN. I was first deputy sheriff of the county at that time.

The CHAIRMAN. What was the condition with reference to lawlessness or violence in and around Brownsville and the district in which you were an officer in the year 1915?

Mr. MONOHAN. Well, it was very bad, we were having bandit raids, murders, and robberies, and so on.

The CHAIRMAN. You investigated these bandit raids officially, did you?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. From time to time?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. Where were those bandit raids from—where did they originate.

Mr. MONOHAN. Why, from Mexico, the best that we could ever determine.

The CHAIRMAN. Did you have, in the course of your official duties, any personal contact with any of these raiders?

Mr. MONOHAN. Yes, sir; I was in one battle with them.

The CHAIRMAN. Where was that?

Mr. MONOHAN. Los Tulitos ranch. Aniceto Pizana's home.

The CHAIRMAN. What occurred there at that time, Mr. Monohan; in your own words, just state.

Mr. MONOHAN. What occurred there? Why, we were in pursuit of a bunch of bandits that had crossed the river at Brownsville and were going in that direction.

The CHAIRMAN. Pardon me just a moment. When you say "crossed the river," you mean the Rio Grande, the national boundary?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. They came from Mexico to this side?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. Of course, we all understand that, but are getting it for the record, for people who do not understand it.

Mr. MONOHAN. Yes, sir. If I remember right, it was Sunday morning—or Monday morning—we had this report about sunup, how they robbed some milkmen, etc., and we ran in pursuit of them, and we really ran right upon them, and there were only four of us in our party and we withdrew from that pursuit and went away to San Benito and got a detachment of soldiers, a lieutenant and 40 soldiers, and I was piloting these men across the country; I thought I would take them a short cut, and the next morning about sunup we got in the neighborhood of where they were; we rode up to the Tulitos ranch, saw three or four men jump up and run into the house with rifles in their hands, and so there was an opening, and we circled around the house, and it was kind of brushy, and we ran into a wire fence, but we surrounded the house and they opened fire on us from the house; they killed Private McGuire in the first volley of shots, one of the first shots, and a few minutes later I was wounded.

The CHAIRMAN. Seriously wounded?

Mr. MONOHAN. No, sir; I had a flesh wound through the thigh. In this band right there at that time there was only 12 or 15 men; we were chasing 40 or 50 men. We came to the ranch house the day before, as I say, where we ran into them, and they had just finished their meal, and had released these two milkmen—we met the milkmen just before we got to this little goat ranch, having breakfast, and rode off just ahead of them. We got ahead of them, and they fired into an automobile when we were within a few hundred yards of them; there was a civil engineer in the automobile, and Sonny Huff, B. L. Conrads; they wounded Sonny Huff in the car.

The CHAIRMAN. They were not waiting to be attacked then?

Mr. MONOHAN. No, sir; they attacked these people, believing it was our car; they knew we were chasing them in an automobile, and I suppose that was their intentions.

The CHAIRMAN. Now, did you ascertain the character of any of these men who had crossed from the other side—that is, as to whether they were Carrancista soldiers or just a band made up of bandits?

Mr. MONOHAN. Well, now, these men that I saw, I couldn't tell, of course, it was just daylight in the morning, the sun was just coming up and I couldn't tell just exactly who they were—the uniform is hard to tell, and everybody most wore khaki clothes in the brush out there, most of the bandits you ran across had on khaki clothes; I never was able to ascertain whether they were Mexican soldiers or not or anything of that kind.

The CHAIRMAN. What were the general conditions along the border about that time and later with reference to disturbances?

Mr. MONOHAN. Why, it was very bad indeed, the people felt unsafe in places except right in our best towns and biggest towns, all the little towns were being crowded by soldiers and by civilian posses that had been made up and guards that we had organized, and so on, all along the border there, all along the valley; people were moving, and dissatisfied and it was about as fierce as you could expect.

The CHAIRMAN. Who was in control on the Mexican side?

Mr. MONOHAN. Gen. Nafarrate.

The CHAIRMAN. Gen Nafarrate, Carrancista general?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. Was there any attempt of which you know of the Mexican authorities to prevent these raids from Mexico into the State of Texas?

Mr. MONOHAN. None whatever that I know of, and I had a great deal of dealings with Nafarrate at that time—tried to have, but I never could get any assistance from him at all.

The CHAIRMAN. Did you have any reason to believe that the bandits themselves received assistance from the other side?

Mr. MONOHAN. Yes, sir; later on I knew they did; at that time I was ignorant of it, at the beginning of this bandit trouble I was ignorant of it, but it soon developed that it was known that he was assisting them.

The CHAIRMAN. Nafarrate himself?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. You were not in any other armed encounters with these bandits?

Mr. MONOHAN. No, sir. I was right in behind lots of them but that is the only engagement I ever had.

The CHAIRMAN. Where did they make for, where did they generally go when you were in behind them, as you say?

Mr. MONOHAN. Well, most always to the river.

The CHAIRMAN. To the national boundary?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. To get across?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. Did the American soldiers who were along the border attempting to assist in guarding American homes, did they cross the river after these bandits?

Mr. MONOHAN. No, not until 1916—I believe we had an expedition in 1915.

The CHAIRMAN. Did they have more than one expedition in 1915?

Mr. MONOHAN. In our locality I don't recall any if there was.

The CHAIRMAN. That was the expedition under Maj. Anderson?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. And they were recalled by their superior officers?

Mr. MONOHAN. Yes, sir.

The CHAIRMAN. Much obliged; that is all, unless you have something.

Mr. MONOHAN. I—Mr. Hill, you asked him about the Galveston ranch raid up there. I had written information from a Mexican who said that that raid was to be pulled off and Col. Blocksom gave me permission to conduct the guard on the river on Saturday after I told him what I had, he ordered a guard or detachment of soldiers from the Twelfth Cavalry from the head gates of San Benito to the ranch and also a detachment from the Sixth Cavalry from Harlingen to go across there, and I suggested to him that I knew the country well and would like to put that guard out there, I knew how to do it, and I told him if you will let me I may catch some one, otherwise you will just put a guard along there to prevent these men cross-



ing and they wouldn't see them do it, and he agreed with the idea and gave me three soldiers to go with me for road protection.

The CHAIRMAN. Soldiers?

Mr. MONOHAN. Soldiers for road protection, however, no one traveled the roads at nights those days. And I got there ahead of the Twelfth Cavalry, I told them I would be there, and I had no idea that the Sixth was ahead of me. We went to the ranch house at Salacino Crossing, just where they would cross—that station was just above the ranch house; my information was that they would cross, but would not cross any men but guns and ammunition—they would cross guns and ammunition, but the men were on this side, and the Twelfth Cavalry detachment were dismounting, unsaddling, and getting ready—we were going to sneak across quietly and get on guard at this crossing; and the troop came down the road and en route to report to the guard, with Lieut.—some one in command of this Sixth Cavalry—had fired on a raft coming across the river, that was 2 o'clock Saturday morning, that was the very thing that we had gone up there to prevent, so he got everything balled up; and I went down to see this lieutenant, he told me it was dark, he had fired across the river, said he heard a raft coming across and hollered to them but they didn't stop, and he opened fire. Well, I thought I had done all I could do, that we had all done all we could and I went back. And Monday morning about 5 o'clock before day, they opened fire, on this detachment left at the ranch house and killed two or three outright—I don't know whether this Sergt. McGrath ever got well or not—that wasn't his name, I can't recall his name, but I know his name, too, but I can't recall it for sure. That was the information I got from a man I had working on the other side of the river. That is all I know.

The CHAIRMAN. Thank you very much.

(Thereupon at 4.30 o'clock p. m., the committee recessed until Friday January 23, 1920, at 10.30 o'clock a. m.)

# INVESTIGATION OF MEXICAN AFFAIRS.

FRIDAY, JANUARY 23, 1920.

## SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS, UNITED STATES SENATE.

The subcommittee met, pursuant to the call of the chairman, at 10.30 o'clock a. m. in the pink room of the Gunter Hotel in San Antonio, Tex., Senator Albert B. Fall presiding.

Present: Senators Fall (chairman) and Smith; Dan M. Jackson, Esq., clerk of the subcommittee.

### TESTIMONY OF JOHN I. KLEIBER.

The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.

The CHAIRMAN. Judge, you are a citizen of the United States?

Mr. KLEIBER. Yes, sir.

The CHAIRMAN. Where do you reside?

Mr. KLEIBER. At Brownsville, Cameron County, Tex.

The CHAIRMAN. Of what State are you a native?

Mr. KLEIBER. I am a native of the city of Matamoros, Mexico. My paternal grandfather came to this country from Strassburg, Alsace, France, or Germany, many years ago. He became a citizen in Galveston during my father's early minority, and my mother was a native of the city of New Orleans, La. Thus, of course, the citizenship of my father and grandfather was acquired long prior to my birth.

The CHAIRMAN. Yes. Judge, how long have you known Judge Valls, who testified yesterday?

Mr. KLEIBER. Judge Valls was also born on the Mexican side of the river a few months later, I think, than I. We were raised together in Brownsville, Tex., and he went to Spring Mills, while I went to Notre Dame for our literary course. He went to the University of Virginia a year before I did for our law course. I took my law course afterwards. A few years afterwards he moved to Laredo to begin his practice, but I have kept in touch with him since then always.

The CHAIRMAN. What official position, if any, do you hold now?

Mr. KLEIBER. I am district attorney of the twenty-eighth judicial district of Texas.

The CHAIRMAN. How long have you occupied that?

Mr. KLEIBER. Twenty-six years.

The CHAIRMAN. Have you known anything of disturbances along the border during the last 10 or 11 years—10 years—along the international line between Mexico and Texas—the United States?

Mr. KLEIBER. I have.

The CHAIRMAN. What have been the general conditions since 19—the latter part of 1910 and 1911?

Mr. KLEIBER. Prior to 1911 and prior to Mr. Diaz's fall I will say that the conditions had been—that is, after Mr. Diaz went in in 1876 or 1877 I was quite a large boy then, a pretty big boy—conditions had been very bad, but during Mr. Diaz's long administration for 35 or 36 years, he, so far as possible, cleaned up matters along that Mexican border. The enforcement of law and order was as successfully accomplished by him as could be, taking into consideration the character of the country at that time, sparsely settled, and the fact of its being an international boundary.

The CHAIRMAN. What were the conditions generally during that time on the American side of the border, as compared with the conditions since the Diaz régime or since the fall of Diaz?

Mr. KLEIBER. Well, very naturally there was, owing to the cooperation between the Mexican and American authorities during Diaz régime, we mutually profited by the joint enforcement of law and order. Since Mr. Diaz, or shortly after Mr. Diaz went out, matters began to grow steadily worse until they reached their climax in the raids, we call them, of the summer and fall of 1915, and continued until our Government sent those large numbers of troops—sent first the Regulars and then the National Guard of the several States. They have improved somewhat since then, but still there has been and is going on a good deal of stealing, matters have settled, the raids have ceased; in other words, no organized effort is being made now to destroy our Government or to put us out of business.

The CHAIRMAN. Were you a personal participant in any of the disturbances in 1915 or 1916 in any acts of violence—I do not mean yourself taking any part in the violence, but were you present on any occasion?

Mr. KLEIBER. On one occasion.

The CHAIRMAN. When was that?

Mr. KLEIBER. That was on the night of October 18, 1915.

The CHAIRMAN. Where?

Mr. KLEIBER. On a southbound passenger train of the St. Louis, Brownsville & Mexico Railway, about 4 or 5 miles north of Brownsville, just north of what is called the Tandy station or Tandy bridge.

The CHAIRMAN. What occurred at that time, just state?

Mr. KLEIBER. As I stated, I was a passenger on that train returning to Brownsville from Corpus Christi, Nueces County, where I had been attending court for a month or so.

The CHAIRMAN. Attending court in your official capacity?

Mr. KLEIBER. Yes, sir; in my official capacity, as district attorney, and we were, as I stated, within a very few miles of Brownsville, due about 11 o'clock, if I remember right, and we were a few minutes late. The train consisted—the train equipment, besides the engine and tender and express car, of two passenger coaches. The forward coach was divided into two compartments, the forward compartment being the negro compartment, and the rear compartment the smoker; and the second coach is what we called the day coach, or ladies coach, in which there was no partition, as there was in the first. I was seated in the smoker on the west side of the car which would be the right-hand side going south—the side of the train going south at

the time. Just ahead of me were two drummers, Mr. Wright, and I forgot the other gentleman's name, occupied a double seat, they facing me. Across from them were seated three soldiers, or rather I should say two soldiers and an ex-soldier. The two soldiers were in uniform—do you wish these particulars?

The CHAIRMAN. Yes; yes, sir.

Mr. KLEIBER. I do not want to bore the committee, I only want to give such testimony as is relevant. The two soldiers in uniform were Corpl. Laymon of the Sixth Cavalry and Corpl. McBee, likewise of the Sixth Cavalry, and with them seated, talking with them, was a man who I learned was one Sword—John W. Sword—he had either been discharged from the service in the same regiment or was on furlough, or sick, we was in "cits"—citizens clothes. Immediately back of them, across the isle from me, was Pvt. Brashear, likewise of the Sixth Cavalry, in uniform. Back of them on a double seat was a Mexican family, an elderly man and wife and another woman, and a young boy perhaps some 16 or 18 years of age. Those people I know at the time were seated in those seats.

I knew they were on the train, but I do not know whether they were seated just there, but right back of them, almost across from the corner, was seated Mr. Harry Wallace—H. J. Wallace, an ex-ranger, a stockman—and Dr. Edgar S. McCain, the State quarantine officer stationed at Brownsville. I noticed that the train began to bump sort of, and slow up. Well, I felt it slacken speed and began to bump on the train quite violently, and listed—to use the nautical term—it listed to my side. That will explain something that I shall state later on in my testimony, in a way very relevant. At that moment the train stopped. Scattering shots and then irregular volleys broke out and increased in volume; and cries, shouts—"Viva Carranza," they cried. "Viva Luis de la Rosa." "Viva Aniceto Pizana." I remember that distinctly, and shortly afterwards I spoke of it to others who were on the train and they heard exactly the same cry. They were not cheers for anybody else, and they repeated again the "Viva Carranza" a number of times. It was a warm night and the windows were up, as well as the sashes, the curtains, and everyone went to the floor—went in between the seats. You could hear bullets whistling through the car. Excepting Dr. McCain, I think—as I afterwards learned Dr. McCain and Mr. Wallace, and, I think, the boy, I understood, took refuge in the toilet. I could hear them getting aboard the train and passing to and fro. I had only been lying there a very few minutes when I saw corporal—or not corporal, but Brashear, the man across from me—stick his head out into the aisle; and as he stuck his head out into the aisle I saw a look of intense terror come into his face—I was only a short distance from him. He threw his hands up and his eyes became set and he gasped. Just then I saw the mouth of a rifle go by, and I saw the flash, and I saw the blood spurt, and he fell. This listing, as I say, of this car, continued, and I laid there; and the firing continued.

Finally, by that time the blood from Brashear had come down in a pool and I was covered with blood. I had on a light suit like, a blue serge coat and a pair of summer trousers, linen trousers, and the next thing I knew a large man with a bandana handkerchief—this common Mexican bandana handkerchief, made into a mask, that is, in a

rough way—there were holes in it for his eyes, covered the upper part of his face down to his mouth, came to where I was lying and stuck his gun a number of times into my arm, upper arm, punched me with the gun and said, "Give me money; give me money." He doubtless thought I was grievously wounded, else I am satisfied that he would have shot me. I reached and gave him my purse from my pocket, and he saw a fob and he said, "Give me watch," and I handed him my watch. By that time the leader, evidently—I could hear his voice; he was evidently standing at the rear door of the coach at the toilet where Dr. McCain was killed—and he kept calling to them. "Come on"—"Vengase," "Vengase," and he cursed them in Spanish, used a number of Spanish obscene terms, Mexican terms, rather, and this fellow by that time had observed my shoes. I had on a pair of tan shoes much the style of the service shoe worn by the military, practically a new pair. He said, "Give me shoes." I replied to him—whenever he spoke to me I would reply in Spanish. My experience in Mexico, although I had always been treated with utmost courtesy, when I went down there in the old days, was that whenever they found you spoke Spanish—it is but natural in any country—you are always accepted with a little more degree of frankness. I answered him in Spanish and I said, "Tome, tome," "Take it," and he laid his rifle to one side and started to unlace my shoes, when the leader became a little more urgent, and cursed him and said in Spanish, cursed him in Spanish, and I kicked off the shoe, I unlaced the other one and kicked it off and he picked up the shoes and picked up his rifle, and by that time I could hear the men retreating, hollering for one another to come on, that relief might arrive. They were very badly rattled, and they then left the train. I glanced over to this man Brashear; I thought he was dead up to that moment: he saw that I was alive and he began to move his finger, pointed to his mouth, and by that time you could hear moans.

Dr. McCain was in intense agony, and so was Wallace and the others, and the Mexican woman was excited. I pulled out my drinking cup. One of these men started back and I told him no, pull down the shades. We started down the car and the car was a perfect shambles, blood from one end to the other. I got down to the water cooler and as I did so I saw Dr. McCain right in the aisle on his back. He recognized me and called to me and said, "Mr. Kleiber, they have got me." I said, "Where?" He said, "They have got me in the abdomen," and he called for water, and I got him water, and Mr. Wallace also. By that time, two minutes, they had quieted down, and the conductor came back, and the brakeman had jumped off the train and was going north for relief: he was the one who went to Almita, or started to Almita, he got in touch with someone and sent word into town. Just ahead of Brashear in the car, as I stated, was Corpl. McBee. He was murdered. They shot him through the head. They took his shoes, and took the shoes of Brashear. In other words, they seemed to have a weakness for these military tan shoes, and those were the three whose shoes they took, the two soldiers and myself. Wallace was wounded, I discovered, in the shoulder, and also in the finger—one of the fingers was shot off. If you have him before you he can give you, first hand, just how Dr. McCain was killed. Of course, I know from what he stated to me at the time, and I can state it to you if you wish.

The CHAIRMAN. Yes; just go ahead.

Mr. KLEIBER. Well, Wallace stated to me that he and Dr. McCain were seated, as I have just stated in the last seat across the aisle from the toilet, and when the train bumped and was about to stop, and the shots rang out, that Dr. McCain got out of the seat and looked around and they didn't see him, he had gone into the toilet. Wallace started to go into the toilet when the first man got in, got aboard and fired and wounded him—no, I do not think they wounded him, they fired and he went into the toilet and the young Mexican boy got into the toilet, as well, and closed the door, and Dr. McCain stood on the toilet seat. They came to the door and battered on. I heard that myself; I did not know where the battering was. Either the Mexican boy or Wallace opened the door partly opened it, and as they did so, they dragged the Mexican boy out, and the Mexican boy told them that he was a Mexican and that there were two gringos in there, and the minute he said there were two gringos—I will say gringos is a term for Americans that the Mexican uses in contempt just as many Americans do the greasers, I suppose you are familiar with it.

The CHAIRMAN. Yes; I understand it.

Mr. KLEIBER. It is a term of contempt. And they immediately fired into the toilet. As I understand it, Wallace was standing on the lavatory, and he was shot in the shoulder. The shot that struck Dr. McCain, who was standing on the toilet, went through the door. I examined that myself, and he evidently must have been standing, because it was quite high in the door. They killed McBee, as I told you. They wounded Brashear, as they thought mortally. They thought I was mortally wounded. They killed the engineer; that is, he was caught in the engine as it turned over in the ditch. Those are the facts immediately surrounding the transactions of which you have asked me. I will say this, also in regard to the robbery feature, if you wish. They took everything out of these two cars that was portable, in the way of baggage, luggage, etc., from every one on that train, except the Mexicans. I heard the Mexican woman and man pleading with them in our car, telling them that they were Mexicans, and their reply was, "Mexicanos no, Gringos no mas;" and as they came into the car I forgot to say that as they saw the soldiers in uniform it evidently enraged them because they began to cry, "Matenlos soldados, Americanos cabrones;" that is, "Kill the soldiers," using this obscene term. In the rear coach they robbed a gentleman from Chicago, a stranger, he gave me his name but it has passed out of my mind—of his watch and chain and jewelry, what jewelry he had on him, they took his ring and what jewelry he had on him and money, and were about to shoot him when Mr. Edelstein, a Jewish merchant from Brownsville said to them that this man was a German—he had already stated to them, by the way, that he was German, and they did not touch Edelstein, they didn't take anything from him. There was an American lady returning from San Antonio in an invalid condition at the time. They robbed her of a diamond ring or two and money and what jewelry she had. There was a Mexican lady whose husband is a merchant in Brownsville, Mexican people. I noticed when I went into the car afterwards that she had on considerable jewelry. They did not take a thing from her at all, and in fact stated to her that she need have no fear, they were only going to

rob Americans, she told me that and expressed indignation, I will say that for the lady.

The CHAIRMAN. They did not harm Edelstein?

Mr. KLEIBER. In no manner whatever.

The CHAIRMAN. Then, they did not harm this American from Chicago when Edelstein told them that he was a German?

Mr. KLEIBER. No, sir; they had already robbed him, though, before that—before they knew that and before they were told that.

The CHAIRMAN. They were going to kill him?

Mr. KLEIBER. Yes, sir; he so stated to me, as did Edelstein.

The CHAIRMAN. Edelstein then interfered and told them that this Chicago man was a German, and then they desisted?

Mr. KLEIBER. Yes, sir; let him off.

The CHAIRMAN. What effort, if any, if you know, was made to apprehend these bandits—murderers?

Mr. KLEIBER. The first line that we got as to the identity of the man, except for the fact that Wallace stated that Luis de la Rosa was on the train; he knew him very well; he spoke of him and he made that statement to me that night, and he has since testified to it as matter of record, too; aside from that, the first line that we got in the way of testimony was that Sheriff Vann and the officers got hold of a young man by the name of Cheno Flores, who is here; I saw him here this morning.

The CHAIRMAN. Was he in that raid?

Mr. KLEIBER. So he said, and it was in evidence; he testified on the examining trial of one or two parties that the band that robbed that train and murdered those people was organized on the Mexican side of the river. He was working at a little place called Las Rucias, a short distance—3 or 4 miles—from the city of Matamoros. He claimed that these people had practically kidnapped him and had him under duress; that of the sixty odd men that attacked the train about 55 of them were organized in the city of Matamoros.

The CHAIRMAN. Mexico?

Mr. KLEIBER. Yes, sir. The commanding officer at that time was Gen. Emiliano Nafarrate, but, as he put it, about 20 or 30—about half and half—20 or 30 of them were infantry, dismounted, and the others mounted, all armed and equipped; that they crossed the Rio Grande on the morning of Monday, the 15th of October, 1919—

The CHAIRMAN. 1915?

Mr. KLEIBER. Did I say October 15—I meant October 18, 1915, that they reached the scene of the wreck about sundown; that they were there joined by about four or five men from this side, from the northern part of Cameron County; that they then made camp and then prepared to wreck the train; that they loosened one of the rails on the west side, took out the fishplates and spikes and tied a stout wire to the rail and fastened the other end of the wire around a crowbar, which they drove into the ground, for leverage, and as the train approached they pulled the lever and there was a wreck; that they disbanded immediately thereafter; and that all of these men from Matamoros, or from the other side rather, excepting himself, went back to Mexico.

The CHAIRMAN. Was there any effort of which you know to secure any assistance from the Mexican authorities in apprehending any of these men?

Mr. KLEIBER. You mean by way of extradition proceedings?

The CHAIRMAN. Yes; or any other proceedings?

Mr. KLEIBER. I will say, by way of extradition proceedings, that so far as extradition is concerned, up to that time and since, with one exception, it is something that does not exist; it is a lost art—you might use the term a lost art; and I will say right here—I might as well as later on in this testimony—that up to the time of Mr. Diaz's fall my experience in the lower Rio Grande district had been exactly that of Valls; we often compared notes when we met, and we never had any trouble in securing a man where we tracked the treaty and furnished our proof. In fact, I had the most cordial support, and they particularly never raised, as they could have done, the question of citizenship. In other words, if we asked for a man and he was a Mexican citizen, it made no difference to them if we furnished them with the proper quantum of proof. After Mr. Diaz went out of office, why, I made one or two or more attempts, and I was treated just as Valls was, except they simply did not pay any attention to me at all. So that in this train matter, and in fact in regard to all of these raids in 1915, we didn't ask for any of these people, because there was nothing doing.

The CHAIRMAN. Now, you say that these Mexicans were greeting, "Que viva Carranza! Que viva de la Rosa!"?

Mr. KLEIBER. Luis de la Rosa and Aniceto Pizana.

The CHAIRMAN. And Aniceto Pizana. Do you know where Aniceto Pizana is?

Mr. KLEIBER. You asked a minute ago if we made any effort to get any cooperation with the Mexican authorities. It was a matter of notoriety down there that Pizana and de la Rosa went right back to Matamoros; they were back and forth down there so far as that is concerned. In other words, they would come over and commit one of these depredations and go right back. The day after the train wreck these men were seen on the streets in Matamoros, and were there for quite a while. After that de la Rosa, I understand, drifted down to Monterrey, and afterwards got his commission as a general in the Carranza army. Pizana remained there and then went to Tampico. They made a bluff of Pizana and they claimed to have arrested him and then given him the freedom of the city. They mean where they give a fellow the freedom of the city he is simply under surveillance, under parole, they don't mean he is confined to the city alone. The last I heard of him he was at Tampico, I don't know his present whereabouts, although I understood that he had gone down to the southern part of the Republic—that I don't know.

The CHAIRMAN. Neither the States authorities nor the United States Government, had, so far as you know, been able to obtain extradition or been able to mete out punishment to either de la Rosa or Pizana?

Mr. KLEIBER. They have not been able to do it; no sir; they have never been able to do it.

The CHAIRMAN. Do you know whether either of these parties is under indictment for murder on this side of the river?

Mr. KLEIBER. These parties?

The CHAIRMAN. Either Pizana or de la Rosa?

Mr. KLEIBER. Yes, sir.



The CHAIRMAN. Both the—

Mr. KLEIBER. They are both under indictment for a number of these raids. The testimony that we had in the investigation of these several murders disclosed this fact: That wherever it was possible for them to operate in company with one another they did so, but where it was not—in other words, if two raids were planned for about the same time at points so far distant from one another as to prevent the presence of both of them together, one would take command of one raid and the other would take command of the other particular raid. We have parties under indictment for the Tulitos killing. That was the killing at the Pizana ranch. Pizana, I know, was under indictment for that, together with a couple of his cousins. De la Rosa I do not think was, because I think he was off at another place engaged in some other raid. They are also under indictment for the Norias raid up in Willacy County. You may have heard of that, the Norias raid.

The CHAIRMAN. Yes, sir.

Mr. KLEIBER. De la Rosa is under indictment for that, and the testimony of an aged Mexican, a very good man and reliable, an employee for many years of Mrs. H. N. King, who was captured by these men when they started out on this Norias raid the ranch showed unquestionably that this band were likewise organized in Mexico, well equipped, armed, and maintained a military discipline, for they had their check roll—their roll call at stated times during the day, and de la Rosa and Pizana were both there, and de la Rosa in command of these troops. There is an indictment for that. Also under indictment—de la Rosa, I am not sure that Pizana was; and de la Rosa is under indictment for the murders of the Austins at Sebastian, and the robbery of the Alexander post office, that was the post office of which Mr. Alexander was the postmaster. I referred to the Austins, father and son, at or near Sebastian.

The CHAIRMAN. Was this Gen. Flores there; was he present at the murder of the Austins?

Mr. KLEIBER. I do not know. I have no reason to believe he was. Now, in the Austin murder—it also developed in the Austin double murder and the robbery by firearms of Mr. Alexander, the postmaster—that this band was also organized in Mexico, and consisted of some 20-odd men. Only 2 men of that band were from this side of the river, and we captured them and we tried them and gave them the death penalty and they were hung. That was Jose Buenrostro, and his codefendant was Melquiades Diaz, I think; I am not quite positive now.

The CHAIRMAN. There were various raids—

Mr. KLEIBER. Pardon me. Another fact, if you wish, while we are on that.

The CHAIRMAN. Yes.

Mr. KLEIBER. This is relevant. Another circumstance, and a very potent one to my mind, and I think it will so prove to yours. I was informed by Maj. Gen. Blocksom—Augustus P. Blocksom, now retired—

The CHAIRMAN. United States Army?

Mr. KLEIBER. United States Army; then colonel commanding the Third Cavalry, Brownsville district, stationed at Fort Brown—the day after the wreck that the guard, the military guard that had been

stationed for two months or more at that Tandy Bridge, just south of where we were wrecked, and which was set fire that night, by the way, before the train was wrecked, had been withdrawn on Saturday night. The testimony of Flores shows that their plans were laid in Matamoros on Sunday, or they were formed Sunday, and that they crossed Monday morning, thus showing that the people over there—Nafarrate and the people over there—were kept in touch by some "grapevine route" or other as to the physical conditions here, and once they saw this opportunity they took advantage of it. Up to that time the military had maintained a guard at every bridge, every station, and, in other words, every point of possible attack along the lines of the St. Louis, Brownsville & Mexico Railway for two months or more, and this guard had been withdrawn on Saturday night for the reason, as stated to me by Col. Blocksom, that it had been six weeks or more since we had had any trouble; the thing had sort of died down, and the Tandy Bridge being in such close proximity to the station of Brownsville, or Fort Brown, the headquarters of that entire military district, the military considered it was not necessary; that was the idea, and yet, notwithstanding that fact, no one knew this except the colonel and his adjutant—I suppose these people over the river knew it by daylight the next morning and took advantage of it. But it is a circumstance that goes to show that the heart and head and brains of the whole thing was right in Matamoros.

The CHAIRMAN. Mexico?

Mr. KLEIBER. Yes, sir; its headquarters, Gen. Nafarrate.

The CHAIRMAN. Judge, how many Americans more or less in that district have been assassinated or murdered from 1911 up to the date by men from Mexico?

Mr. KLEIBER. Murdered? Well, I will say that during all of the murders that I spoke of, during that period, rather, say during 1915, well, let me see, there was the Austins, two of them, and Mr. Smith, and Mr. Donaldson, and the Fresnos fight—I forgot to mention that Pizana, I know, was under indictment for that, he was in command of that fight, and the testimony unquestionably shows that, that people who knew him saw him. Corp. McQuire of the Army, he was killed at the Tulitos fight. At Las Norias they grievously wounded Frank Martin, left him for dead, he recovered and was murdered since then by two Mexicans—not from the other side, however. I judge down in that county there were a dozen or more, approximately.

The CHAIRMAN. Now, the officers of the law and the soldiers on this side received some assistance?

Mr. KLEIBER. Oh, I have mentioned already Dr. McCain and the soldier, and Kendall, that would make it about a dozen, sir.

The CHAIRMAN. The officers, the peace officers and the military forces on this side of the river received assistance from the residents on this side, did they, from the native residents, that is of Spanish descent, Mexicans?

Mr. KLEIBER. Will you permit me to make a little statement about that to show you, without being prolix?

The CHAIRMAN. Yes, sir.

Mr. KLEIBER. As I have stated, I was born and raised in that country and my people were pioneers in that country. My paternal

grandfather came there in 1848 and my father came there in his youth; my wife's father, came there after that time, and our people have lived there ever since. My parents lived there for many years, and died in that country. My father and my grandfather and all of his people did business with those Mexicans. I was raised amongst them, and have lived amongst them, and I can say without boasting that no one knows the Mexican any better than I do, and few know them as well. Without boasting, but an actual fact, and I also know them, I think, to a great extent better than they do themselves. The Mexican, the ordinary Mexican, if treated properly by those who know how to treat him, know how to handle him, is a law-respecting and a law-fearing man, and it is only when he is misled by those in whom he unfortunately has confidence and he should not have confidence, and also by his own patriotism. They are an intensely patriotic people, and if any of these Mexicans, I am speaking of the Mexicans that reside on this side, that were born and raised here, were misled in this thing or went astray, it was because they were deceived by people of their own kind that had what I call a superficial education, whose head was educated and not his heart. That is the trouble to-day in Mexico, that of the 15,000,000 people down there, 13,500,000 of them are absolutely illiterate, and the other 1,500,000 are what we call educated, or the ruling class in Mexico, they are educated in their brains and not in their heart. These poor people down there, these Mexicans, when these raids started, were, I am satisfied, as much astounded and were as much against it in heart as I or any law-abiding citizen.

I will say this for them, that where they could aid us or were in a position to help us without putting themselves or their wife and little children in fear of life, that they did so. If the average Mexican—speaking of my district—if the average Mexican down in Cameron County or in Willacy County, in my district, failed to do what we considered he should have done affirmatively to aid the officers of the law throughout that awful period, I am satisfied it was for fear of his own life and those that he had around his little house. I have known of instances and instances, and I am satisfied that other officers will tell you the same thing, that Mexicans helped us perhaps not a great deal, but helped us all that they could help us, because it was in their heart. I think that answers your question.

The CHAIRMAN. Has there been any feeling displayed toward those Mexicans that did help you by others of their race from the other side of the river or this side?

Mr. KLEIBER. Why, any Mexican from this side of the river who was known to have helped us in any of these matters to enforce law and order, and is even suspected over the river that they had done so, why, they are proscribed, there is no question about that.

The CHAIRMAN. What was the result among the settlers and citizens of this country of which you have been speaking due to the raids. Did the people become excited, did they leave their homes?

Mr. KLEIBER. Oh, yes, sir. That was due to a species of propaganda, if I can use the worn-out term. I say these people—Mexicans of the lower class especially—were very much frightened and wrought up, and I am satisfied, due not only to fear they may have had because of their nationality and race they might suffer at the hands of the Americans for what other fellow citizens of theirs had done,

but I am satisfied that they were also told by means of this propaganda that such would be the case, and advised to get out, and there was an exodus—there is no other word for it. They left the State—they left Cameron County by the thousands. I saw them and everyone in Brownsville saw them, come through in their wagons with their little belongings. They sold what they had—that is, what they could not carry with them—for a mere nothing, to get out of the country.

The CHAIRMAN. Judge, I suppose that due to the conditions which you have been relating and the fact that many of the good Mexican people and citizens from this side were in fear of their lives from people of their own blood, and due to the murders and outrages committed by these bands to whom you have referred, naturally a feeling grew up between the American citizens as distinguished from the citizens on this side of native descent, which has manifested itself in occurrences of a violent nature probably since that time?

Mr. KLEIBER. Yes; since that time.

The CHAIRMAN. Then, one of the unfortunate——

Mr. KLEIBER. In other words—pardon me—you mentioned that as a result of these troubles there has been a certain amount of race feeling engendered?

The CHAIRMAN. Yes.

Mr. KLEIBER. Yes, sir; that is true to some extent.

The CHAIRMAN. Then, one of the unfortunate results of these violent occurrences—that is, murders and raids, etc.—from the other side of the river has been an estrangement between the two races on this side, and doubtless innocent people on this side have suffered because of the raids from the other side?

Mr. KLEIBER. That is correct, and if you will pardon me for injecting right there, that is one of the things that men like myself and Mr. Valls and others who were born and raised right there among these people have had to contend with, and our every effort has been and will continue to be as long as I live, whether I am an officer or not, no matter where I live, will be to bring back the not only harmonious but almost affectionate relations that existed between the two races in that lower country. For I have traveled that country for years, after I grew to manhood, up to the time that the road came in there 10 or 15 years ago, in my business as a lawyer, by every mode of conveyance known, traveled over that country when it was sparsely settled, and you would travel miles before you met anyone at all, and when you did strike a place it was some little Mexican jacal, no matter where you went, when you went, or how you went, armed or unarmed, whether you carried food with you or whether you did not, whether you had money with you or whether you had not, those people would take you in, sir, and share the last tortilla with you, or a cup of coffee if they had it, and if you offered them money they would almost with dignity but with the grace that is peculiar to that race decline it. I have traveled all over that country without even a copper.

The CHAIRMAN. And that spirit of comradeship, as you say, practically of affection, was not broken until these bandit raids from the other side—the responsibility for which has been traced to the Carranza government or at least some of the high officers of that

Government—took place. I ask you, because the committee has information to the effect that either Mr. Carranza directly, or some Carranza propagandists have been engaged in an attempt to secure the names of Mexicans upon this side who have received injuries at the hands of the Americans upon this side to offset the claims made by citizens upon this side that the Carrancistas had murdered Americans?

Mr. KLEIBER. Preparing to bring his cross action?

The CHAIRMAN. Yes, sir; as we would explain it. So that if there have been hardships worked upon innocent Mexican people on this side of the river since 1915, in your judgment such occurrences have been due to the actions of the Carrancistas themselves in creating a breach of friendship and good will and understanding between the Mexicans and the Americans on this side of the river?

Mr. KLEIBER. Unquestionably so, sir.

The CHAIRMAN. Judge, the committee thank you, sir.

Mr. KLEIBER. I want to say, sir, pardon me, about that matter of extradition. Will you pardon me coming back to that.

The CHAIRMAN. Certainly.

Mr. KLEIBER. You asked me about it a while ago, I believe, and I did not like to break the line of testimony with regard to the wreck; but as Mr. Valls said yesterday, and as I started to state a moment ago, up to the time that Mr. Diaz went out of office we not only had no trouble in securing the extradition of fugitives from justice from this side, but we had the heartiest cooperation.

Senator SMITH. Regardless of nationality?

Mr. KLEIBER. Yes, sir. Pardon me, Senator, I made that statement a while ago. They never, Senator Smith, in any instance, provided we tracked the treaty or complied with the due form of law, ever refused to give us a man upon the grounds that he was a Mexican citizen, even though they could have done so—had demanded their "pound of flesh." Now, I had a case that peculiarly showed by contrast the difference between the—well, before I go on, since the fall of Diaz, as I stated to the committee briefly, a short while ago, I made several efforts, the first year or two after that, to secure the extradition of fugitives from justice, and my experiences were parallel to that of Johnny Valls. They not only refused, but they simply ignored us, paid no attention to it.

A glaring instance of that was in 1906. Judge Stanly Welsh, who was then judge of the twenty-eighth judicial district, was murdered in the room next to me in Rio Grande City, Tex., while we were attending court. We secured positive proof that the shot was fired by one Jose Sandoval, that he was accompanied to Judge Welsh's bedroom window by Alberto Cabrera, who had been ex-deputy sheriff there the year before that; he knew the judge well and knew where he slept; had been in the room many, many times. Cabrera's part in the commission of the murder was to take Sandoval to the window and point out the exact place, and he was armed at the time and walked to the door of my room and stood there evidently, and had I went there, come to that door, he would have shot me. We asked for his extradition. We located him, however, several months later in the City of Mexico. That was under Diaz. We asked for his extradition, and I went to the City of Mexico and spent several

weeks there. Mr. D. E. Thompson, as you undoubtedly know, was ambassador there at the time and assisted me, as did Mr. Coledge, the secretary. We had every reason to believe the extradition would be granted. We knew that Cabrera had friends and that he would fight his case through the courts. I had consulted with the governor of the district, Dr. Guillermo Escandon. The president and Gen. Felix Diaz, the president's nephew, who was commander of the police force in Mexico City, the chief of police, had suggested that we had better see the attorney general, Mr. Miramon. I went to see Mr. Miramon, and he stated to me that in the event Cabrera fought his extradition that he would see to it through his office that the Government of Mexico, through the department of justice, would fight the case through and help us, and he did so. Cabrera took his case to "amparo," as they call it, a habeas corpus, to the supreme court of Mexico. I think Mr. de la Barra was chief justice then. They refused to grant it and ordered him turned over to the American authorities, which was done, and he received a fair trial. The judge changed his venue of his own motion from Starr County to the interior of the State in order that he might get a fair and impartial trial in a community where the events were not known, where there was no facts known against him. He was tried at Cuero, De Witt County. He was found guilty of murder in the first degree and given a life sentence in the penitentiary. He appealed his case to the court of criminal appeals, the supreme court in criminal matters.

The court of criminal appeals in a very elaborate opinion decided every point in the case in accordance with the State's contention. He was sent to the penitentiary. He had only been there a few months when we were satisfied he was bought out by these same influential friends, who bribed the guard and he escaped, and we learned shortly afterwards that he went to the city of Monterrey and was given a place on the police force—no; we did not hear from him for a long time, that is right; we did not hear of him for a long time. Finally, about the time that Madero went in, or shortly after, we located him. That was the first case after the fall of Diaz where I made an effort and was refused an extradition. I tracked the treaty on that case, as I did before; not only sent certified copies of the judgment and the sentences of the different courts and the bill of indictment properly certified to by the district judge and the clerk of the court, and if I mistake not I went further and sent either the record or a resumé of the record. They had it, however, in the City of Mexico and no attention was paid to it. We learned that he continued on the police force, and the next we heard he was in the Carranza army. The next we heard he was down at Tampico. I had this from a gentleman of standing in Brownsville, whose word is beyond reproach—that he saw him in Tampico with Nafarrate several years ago.

The CHAIRMAN. Nafarrate was the Carranza general?

Mr. KLEIBER. Nafarrate is the same Emiliano Nafarrate that was commanding in Matamoros at the time of this train wreck and afterwards transferred to Tampico, where subsequently we heard that he was killed. Next he came to Matamoros, Cabrera did, and here in the past two weeks—I have it from a young man in Brownsville, likewise whose standing and word are beyond reproach and knew him

well and had known him for many years—that he talked with him on the plaza in Matamoros, and that he was then a captain on the staff of Gen. Cesar Lopez de Lara, who is at present a candidate for the governorship of Tamaulipas. I quote this because it is a glaring instance by comparison of what the Diaz government did and what the Carranza government does not do—rather what the Diaz government did to enforce law and order and what the Carranza government does to encourage crime.

The CHAIRMAN. It is a very striking comparison.

Mr. KLEIBER. Yes, sir; a very good harbor and haven.

The CHAIRMAN. And promotion.

Mr. KLEIBER. And promotion; yes, sir; and continued recognition.

The CHAIRMAN. Judge, we are under obligations to you, sir, for your very clear and interesting statement.

### TESTIMONY OF CAESAR KLEBERG.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Are you a citizen of the United States, Mr. Kleberg?

Mr. KLEBERG. Yes, sir.

The CHAIRMAN. Of what State a native?

Mr. KLEBERG. Texas.

The CHAIRMAN. Where do you live?

Mr. KLEBERG. I live at Kingsville; I spend most of my time at Norias.

The CHAIRMAN. What is your business?

Mr. KLEBERG. Stockman.

The CHAIRMAN. Where are you in business as a stockman?

Mr. KLEBERG. At Norias, Tex.; at one of Mrs. King's lower ranches.

The CHAIRMAN. Where is that ranch with reference to the international border between the United States and Mexico?

Mr. KLEBERG. I judge it is about 65 or 70 miles north.

The CHAIRMAN. Of the border?

Mr. KLEBERG. Yes, sir. The ranch, however, runs within about 32 or 33 miles of the border—the lower end of it.

The CHAIRMAN. You are in charge of the Norias ranch, you say?

Mr. KLEBERG. Yes, sir.

The CHAIRMAN. What were you doing in the early part of 1911, and during that year?

Mr. KLEBERG. Well, in 1911 I spent most of my time in the upper ranch, which was known as the Santa Gertrudes ranch. I was not down in the lower ranch much.

The CHAIRMAN. Where is that ranch with reference to the international border?

Mr. KLEBERG. I judge it is about 100 miles; I guess about 100 miles north.

The CHAIRMAN. How close does it extend to the border?

Mr. KLEBERG. Well, about that distance, I judge.

The CHAIRMAN. What was the condition in 1911, from early in the year, during the year—through 1911—where were you in 1915?

Mr. KLEBERG. Well, I was spending a good deal of my time, as I stated, at the lower ranch; I was in charge all the time.

The CHAIRMAN. On the Norias ranch?

Mr. KLEBERG. Yes, sir.

The CHAIRMAN. What were the conditions on the border on the American side in 1915 and 1916 with reference to law and order, or violent attacks and occurrences?

Mr. KLEBERG. Well, it was very unsettled—conditions grew worse from time to time, and we did not know what the trouble was; we never had any trouble there before to amount to anything, and it was about the time that Madero, I believe, was assassinated and Carranza and Villa were having their time that these conditions began; and we could not account for it. As Judge Kleiber told you here before, conditions were absolutely quiet; we had no trouble there outside of a few thefts, a little cattle stealing, and stealing cows; we never was bothered much about them getting together, Mexicans banding together there. They had been there all this time, and they never did anything until they began pulling off these raids. Neither could the Mexicans that were working there; they could not understand it any more than we could until we got into the thing a little bit further; until they began pulling off these raids.

The CHAIRMAN. You were interested in investigating not only these occurrences themselves, but the causes which led up to them?

Mr. KLEBERG. Absolutely; I could not see what they were up to.

The CHAIRMAN. When did you first begin to get an insight into causes of the raids?

Mr. KLEBERG. Well, the first real insight that I got into it—of course they had been pulling off these other raids at these different places, but of course I was more interested in the raid that had taken place at my headquarters. It was from the statement that one of my old Mexicans made when he was captured, when he went and told the story that they had a roll call, and whenever the secretary would wind up, why, he would say this was done at the instance of the Carranza government, and then we commenced to put things together, and I think in his statement there was another part of it in which he stated that a great many of these Mexicans were from the other side and some from this side.

The CHAIRMAN. What was the name of this old Mexican you speak of?

Mr. KLEBERG. Manuel Rincones.

The CHAIRMAN. Was his statement reduced to writing?

Mr. KLEBERG. Yes, sir.

The CHAIRMAN. By whom, Mr. Kleberg?

Mr. KLEBERG. I believe the first statement he made was made to Capt. Anderson; I was not there at the time he made it, but you have a witness here who was in my employ at the time, Mr. Winn; I mean Deputy Sheriff Winn, from Brownsville; I think he was there at the time he made this statement.

The CHAIRMAN. Did you have this statement or a copy of it in your possession?

Mr. KLEBERG. Yes, sir; they gave it to me the next day.

The CHAIRMAN. And it was from the statement of this man that you first got an inkling of the true conditions?

Mr. KLEBERG. Yes, sir.

The CHAIRMAN. Will you examine this paper and see whether you can identify it? [Handing paper to witness for examination.]



Senator SMITH. What became of him?

Mr. KLEBERG. I still have him there, and I would have brought him along but the old fellow is getting very old and feeble, and I want to keep him as long as I can. Yes, sir; this is it, Senator.

The CHAIRMAN. Mr. Secretary, will you please read this statement for the record?

(Thereupon the secretary read into the record the statement of Manuel Rincones, as identified by the witness, as follows:)

STATEMENT OF MANUEL RINCONES.

My name is Manuel Rincones. On the 7th instant while working on the King estate, eight or nine Mexicans approached me and asked me if I was in charge of Nopal. Upon replying in the affirmative they directed me to accompany them. They took me to a camp near by; there was 50 in the entire band, officers and soldiers. This was about 9 a. m. The following are the general movements of the band: At Nopal 9 a. m. to 2 p. m. Departed for Tenerias, which was reached about 5 p. m. Horses were collected at this point. About 7.30 p. m. proceeded in direction of Canecitos and traveled until midnight, when we reached Camitas, near the San Francisco Ranch. Here we camped in the brush until daybreak of the 8th, when we changed camp about one-fourth mile and stayed until about 11 a. m. Leaving camp at Camitas, proceeded to Auritas and entered the Iturria pasture, where eight horses were secured. We proceeded thence to Norias. Here no reconnaissance was made, but an attack was ordered immediately. There was a fight lasting about two hours. The leaders were gallant, but the soldiers failed to respond and a withdrawal was ordered. The men scattered, but soon reassembled and the first sergeant called the roll. After assembling the band went into the brush and rested until daybreak of the 9th, thence the Divisadero Ranch, where a cowboy joined us. I am confident that the act was voluntary. Then to the Ranch Jesus Maria, which was reached at 11 a. m. Here one Teodoro de la Fuente guided us into a thicket of cactus and mesquite. He secured water and a cow. The brush was so dense it was necessary to roll the barrel of water in. Here we remained until 2 p. m. of the 10th instant, when we marched in the direction of the Rio Grande. I was liberated at midnight of the same date about three hours' walk on foot from San Jose Ranch. I do not know the locality. The band consisted of a chief, a major, a captain, and 25 soldiers from Mexico; the balance were picked up on this side of the Rio Grande. At Nopal the major took a paper from his pocket and directed the first sergeant to read it. It stated that the object of the expedition was to reclaim the land that had been taken by the United States from Mexico. It was ordered in the name of Carranza, and the officer stated it emanated from him. From conversation overheard I gathered that officers and soldiers from Mexico had been fighting during the revolution first on one side and then on the other. The chief was called Luis; the major, Miguel; the captain, Gabriel.

There was also a commander named Ricardo Gomez Pizana, from Rancho Viejo, which is south of the Arroyo Colorado, but near Paso Real. The attack on Norias was for the purpose of securing tools from the section house, with which to remove a rail and wreck a train. This was the scheme of Ricardo Gomez Pizana. In the fight at Norias five men were killed and two wounded. Of the killed one was badly wounded, and the captain, Miguel, finished him. Of the wounded one was Miguel, who was hit in the hands and ribs. The bullet which wounded him killed a soldier behind him. At the roll call after the fight at Norias there were missing in addition to the killed four men, who were carried thereafter as deserters. One other man later on dropped out as his horse went under, but beyond those mentioned the entire original band was intact when I left them. The object in heading for the Rio Grande was to secure reinforcements and a new supply of ammunition when the operations were to be continued. The man killed by the captain was named Ricardo, and he came from Sebastian. The officers were very gallant at Norias, but the men would not follow their leadership. As a result of conversation overheard one Aniceto Pizana was credited with having killed Pvt. McGuire, of Troop A. He was left south of the Arroyo Colorado, commissioned to gather more men; he lived on Tulitos Ranch, owned by his father. Evaristo Ramos, of Sebastian, is a member of the gang. When the others headed for Mexico I heard him say

that he did not care to go. Other members Jose Benavides, from the Bonita Ranch, near Canitas, has recently been married; Juan Romero, who has recently been employed at Los Lipanes; Dario Mercado, who worked as a laborer at the Pie Ranch near Sebastian; Antonio Rocha, an old employee of the King Ranch; Juan Romero, whose horse played out; Teodoro de la Fuente, who furnished supplies and tobacco at the Jesus Maria Ranch, and who guided the band through the dense brush about the place. The man Ricardo Gomez Pizana was in the fight with Troop A and guided the band from the south to Nopal. Up to midnight of 9th and 10 instant there had been but four desertions; one man dropped out on account of his horse and five killed, otherwise the original band was absolutely complete. The Ricardo Gomez Pizana above mentioned was one of the deserters. I do not know where they crossed either the Arroyo Colorado or the Rio Grande.

I have the man whose statement is above set forth incommunicado and will probably secure further information.

A. V. P. ANDERSON,  
*Captain Twelfth Cavalry.*

HARLINGEN, August 12, 1915.

To commanding general Southern Department, Fort Sam Houston, Tex.:

Forwarded to civil officers. Brought this man to Raymondville to-day, where I interviewed him. He has been a fence rider on the King Ranch at Sauz. The officer who brought him over to Raymondville states that he knows this man and that he is a very reliable man. He is about 75 years old and appeared to me to be speaking the truth. I did not know at the time that Capt. Anderson had forwarded a lengthy report and so took down one myself, which I am also forwarding to Edward Anderson, major, Twelfth Cavalry, commanding.

I, Manuel Rincones, hereby certify that the foregoing statement is a true copy of my statement to Capt. Anderson.

His  
MANUEL X RINCONES.  
mark.

Witness:

G. P. DURHAM, Jr.  
CAESAR KLEBERG.

STATE OF TEXAS,

*Willacy County, ss:*

Sworn to and subscribed, before, me, Robert Maxwell, justice of the peace, by Manuel Rincones, who is personally known to me.

[SEAL.]

ROBT. MAXWELL.

*J. P., Ex Officio Notary Public, Precinct 4, Willacy County.*

The CHAIRMAN. This old man was about 75 years old at that time.

Mr. KLEBERG. Yes, sir; he was about 78 or 79 years old. Judge Kleiber there is well acquainted with him, and he in fact made that same statement to him.

The CHAIRMAN. And up to the time that you received this statement, as I understand, you did not know who, if anyone, was behind these band of raiders?

Mr. KLEBERG. No, we were at an absolute loss to understand it. These statements that have been made by the gentlemen preceding me, and all these little runs, you never could see anybody, and it was not until we had this fight at Norias that the whole band was together that we know of.

The CHAIRMAN. Now, after receiving this information that is contained in this statement, and from your subsequent investigations, did you become convinced that there was a concerted effort behind these raids and these disturbances?

Mr. KLEBERG. Unquestionably so. There was no reason for us to think that way, because these Mexicans had been with us and they had never made a move of this kind. It was some outside influence.

The CHAIRMAN. From all the evidence secured by you, whom did you learn was back of and supporting these murders, robberies, and disturbances upon this side of the river?

Mr. KLEBERG. Well, my information—the information that I got, that is, that came to me, was that Nafarrate was the man that was planning all this business.

The CHAIRMAN. Gen. Nafarrate?

Mr. KLEBERG. Gen. Nafarrate.

The CHAIRMAN. To what faction in Mexico did Nafarrate owe adhesion?

Mr. KLEBERG. I understand the Carranza faction.

The CHAIRMAN. A general in the Carranza army?

Mr. KLEBERG. That is my understanding.

The CHAIRMAN. At one time in Monterrey?

Mr. KLEBERG. Of course, I do not know his movements, but I knew that at that time he was in Matamoros.

The CHAIRMAN. During the time these raids were going on?

Mr. KLEBERG. Yes, sir.

The CHAIRMAN. I think that is all, thank you.

Senator SMITH. You were born in Texas?

Mr. KLEBERG. Yes, sir.

Senator SMITH. Who was your father?

Mr. KLEBERG. Rudolph Kleberg.

Senator SMITH. The Kleberg that served in the Congress of the United States for many years?

Mr. KLEBERG. Yes, sir; he was there from 1896 to 1902, I think.

Senator SMITH. That is all. I just wanted to identify you.

#### TESTIMONY OF JOHN A. KLEIBER—Recalled.

(The witness was warned by the clerk of the subcommittee that he had been sworn and was still under oath.)

Mr. KLEIBER. I want to explain one of the matters about that extradition.

The CHAIRMAN. Very well.

Mr. KLEIBER. Yes, sir; I overlooked it. I made the statement that I had never asked for the return of any fugitive with the exception of one or two or several efforts we made several years ago. Some years ago there was a man by the name of Toribio Rodriguez, a Mexican citizen, on this side, that was murdered at a ranch called Encantada or Ranchito about 15 miles above Brownsville, and the testimony was that the murder was committed by a man named Pedro Paz and Antonio Rocha. Both of them are unquestionably members of these bandit forces, and the sheriff, Mr. Vann, suggested that we ask for their extradition. I told him I did not think we could do much good in the light of our past experiences, but we did so, and I signed the papers for him and asked that he be made extradition agent, the party to receive the man. They were arrested, I understand, and placed in jail at Matamoros three or four months ago, last fall, and he went to Matamoros to see them, he went to the bridge—

The CHAIRMAN. That is Sheriff Vann, as extradition agent?

Mr. KLEIBER. Yes, sir. And he was notified by the commanding officer at Matamoros that he would have to go up the river, that he

would not deliver them at Matamoros. So he went up to the town of Hidalgo, opposite the Mexican town of Reynosa. They turned over Pedro Paz, but they did not deliver Antonio Rocha. They said they had killed him, that he had escaped—what they call the “ley fuga.” Well, Rocha really was the king bee, the man that we wanted; they did not deliver him. Afterwards they gave us Paz, but did not give us Rocha. I wanted to correct that in my statement, that we had made no effort since the early part of the revolution. As to the testimony of this man Rincones, the Mexican awhile ago, I had forgotten of the particulars of it until I heard the statement read, and I now recall that he not only said that they had a military discipline, that they called the roll, but also that they read this plan under which they were operating, this plan to come over here and take back the lands that the Americans had robbed them of, that was really their ultimate object, and in that regard the statement bears me out in my statement that de la Rosa was the leader of the band and that Pizana had conducted or was just about to conduct the raid at Tultitos, where they had killed Corpl. McGuire. Furthermore, this Ricardo Gomez Pizana mentioned in that statement is a nephew of Aniceto Pizana. Ricardo Gomez Pizana is a notorious criminal. I convicted him in the district court of Nueces County. I tried him once at Brownsville before that, but he got away. We tried him again on another charge of theft of horses or mules, and he went to the penitentiary. He came back to Brownsville and got into trouble again, and fled over the river, and if I mistake not, he is under indictment down there now for perjury. He was de la Rosa’s lieutenant in the Norias raids. He was a nephew of Pizana, the leader of the bandits.

The CHAIRMAN. Thank you.

### TESTIMONY OF TOM MAYFIELD.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

The CHAIRMAN. Where do you live?

Mr. MAYFIELD. Pharr, Hidalgo County.

The CHAIRMAN. Are you a citizen of the United States?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Native born?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Of what State?

Mr. MAYFIELD. Texas.

The CHAIRMAN. What official position, if any, were you holding in 1915 and 1916?

Mr. MAYFIELD. I was actively with the sheriff’s department, and I also held a special ranger commission.

The CHAIRMAN. What sheriff were you under?

Mr. MAYFIELD. A. Y. Baker, the sheriff of Hidalgo County.

The CHAIRMAN. What were the conditions existing in your district, or where you were familiar on the American side of the line during 1915, particularly as to violence or law and order and peace?

Mr. MAYFIELD. Well, it was a continuous raiding about most—that is, most every day in one of the two or three counties.

Senator SMITH. Raiding from where?

Mr. MAYFIELD. From Mexico.

The CHAIRMAN. In your official position as a peace officer did you come in—did you gain any personal knowledge of these raids and were you present at any time during the raids, or did you come in conflict with the raiders at any time?

Mr. MAYFIELD. Yes, sir—that is, I was actually engaged in pursuing these raiders; in fact, I left my work for two or three months, and that was all that I did for two or three months' time, was to help ferret out these raids and catch them, if possible. I did not participate in any raid.

The CHAIRMAN. You mean participate in defeating any raid, but in the pursuit of the raiders?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Now, in pursuit of these raiders, where did they go, if you know?

Mr. MAYFIELD. Well, most all of them would go back to Mexico each time. Of course, most usually these raids, these raiding parties that would come over, they would pick up one or two scouts or guides for them, all Mexicans who lived on this side, to help them through the country and show them roads and different localities, different ranches, that way, that they were not familiar with; but the most of the parties consisted of Mexicans from the other side of the river, on the Mexican side.

The CHAIRMAN. Can you mention any of these raids specifically and with the approximate dates?

Mr. MAYFIELD. Well, the raid at Progreso, some time in October. I captured—me and my partner captured a Mexican that participated in that raid.

The CHAIRMAN. Was that in October, 1915?

Mr. MAYFIELD. 1915. Capt. McCoy, in charge of the Third Cavalry at the time, I turned the Mexican over to him, and he made a sworn statement before Capt. McCoy and told the way the raid was planned on the Mexican side by the two Carrancista garrisons coming together and making this raid on this store, and some property was taken back as well as some Government horses, and one soldier was captured and taken across the river and his ears were cut off as souvenirs for the officers, and his head was cut off, and they paraded back and forth with his head on a pole, as his statement shows.

The CHAIRMAN. Was this a Mexican soldier captured and his head cut off and his ears cut off?

Mr. MAYFIELD. No, sir; an American.

The CHAIRMAN. An American?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Do you know what command he was attached to?

Mr. MAYFIELD. I do not remember just now the name of the command.

The CHAIRMAN. Do you know his name?

Mr. MAYFIELD. Johnson, I understand, was his name.

The CHAIRMAN. He was captured on the American side of the river, was he?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. And taken by his captors to the Mexican side of the river?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. To any town or settlement there?

Mr. MAYFIELD. He was taken to a station they called Las Peladas, that is a fort on the Mexican side.

The CHAIRMAN. Were there any Carrancistas there at that place?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Then what was done with him?

Mr. MAYFIELD. Well, his ears were cut off as souvenirs, and this Mexican statement was that each commanding officer of the two garrisons on the Mexican side kept an ear for a souvenir. I have his statement, if you would like to have it.

The CHAIRMAN. Yes, I would like very well to have his statement. You have it there as you wrote it down from notes at the time?

Mr. MAYFIELD. Capt. McCoy, I was only a witness with Capt. McCoy, under oath before a notary public. It is not in very good form.

The CHAIRMAN. You assisted, yourself, in the capture of Cuellar?

Mr. MAYFIELD. I captured him.

The CHAIRMAN (to Mr. Jackson). Read that Cuellar statement.

Mr. JACKSON (reading):

The STATE OF TEXAS, *County of Hidalgo*:

Before me, Lee Walsh, a notary public in and for Hidalgo County, Tex., now comes Guadalupe Cuellar, who, after being duly sworn, on oath, states that he has resided on the American side of the Rio Grande River for about eight years.

Cuellar says that he was within sound of the firing of the fight between American soldiers and Mexicans at or near Progreso on Friday, September 24, 1915, in which three American soldiers were killed and one taken prisoner.

Cuellar says that Capt. Vargas, who has been in charge of the Carrancista soldiers at the fort known as Las Peladas but had been recalled and had been replaced by Carrancista troops from Matamoros.

Cuellar says that the Carrancista leader had given orders for every one on the Mexican side (some being without arms) to cross to the American side to assist in carrying off any loot which might be taken on the American side of the river.

Cuellar states that after the firing had almost ceased, some Carrancista soldiers came up on an American soldier in a clump of bushes; he surrendered and was taken prisoner to the other side of the river. On reaching there the Carrancista soldiers shot him four or five times, cut off his ears and then his head as souvenirs, and threw his remains into the river.

He states that the Carrancista soldiers crossed the river in three boats held there for that purpose.

He is unable to give the name of the captain in charge of the soldiers, but had heard it.

He was given this information by a Mexican named Francisco Gamez and also had information from a number of Carrancista soldiers, who came back after the fight, having their saddlebags and wallets filled with loot from the robbery of the store on the American side of the river.

He also states that the horses and arms taken back across the river were turned over to the Carrancista officer in charge of Las Peladas.

GUADALUPE (his x mark) CUELLAR.

Witnesses:

Capt. McCoy,

T. S. MAYFIELD.

Subscribed and sworn to before me this the 29th day of September, 1915.

[SEAL.]

LEE WALSH,

*Notary Public, Hidalgo County, Tex.*

The CHAIRMAN. Mr. Mayfield, do you know whether the body of this soldier was ever discovered?

Mr. MAYFIELD. It was afterwards recovered.

The CHAIRMAN. What was the condition, if you know?

Mr. MAYFIELD. Why, the head was cut off just as he stated.

The CHAIRMAN. Were there any bullet wounds in the body, do you recall?

Mr. MAYFIELD. I did not see the body. I only knew this information through Capt. McCoy and Maj. Anderson, who was in charge of the troops.

The CHAIRMAN. Now, in these raids, or following the raids, or in pursuit of the raiders, were there any arms or munitions taken by yourself or the other peace officers or soldiers?

Mr. MAYFIELD. Yes, sir; at times we—in different raids we would get maybe some ammunition and maybe one or two guns that would be—that they would run off and leave, or maybe one of the bandits was killed, or something that way.

The CHAIRMAN. Is there any form of deadly weapon, that you know of, used by any of these raiders, bombs or hand grenades, or instruments of death, of that character?

Mr. MAYFIELD. I never saw any of the bombs, but when De la Rosa was camped opposite where I had some cattle pastured we sent a number of different Mexicans into his camp to get information, and he had four Japs there making hand grenades out of green cowhides for him. We had quite a few witnesses who told us about those hand grenades.

The CHAIRMAN. They would place the explosives in the cowhide while it was green and then let the cowhide dry afterwards?

Mr. MAYFIELD. To dry afterwards; yes, sir; and they would put bolts or any piece of iron in this hand grenade with the explosive, and sew this green hide on with a green hide as sewing and as it dried it made a—I never saw one of those bombs but we had quite a few witnesses to tell us about the making of them.

The CHAIRMAN. Well, every Texan knows what a green cowhide will do when it gets dry?

Mr. MAYFIELD. Yes, sir; they would also make signals—these Japs were also making signals that was something like a turkey calling, for De la Rosa. These four Japs were employed all the time they were in camp there making these hand grenades, or these “pitos,” they call them.

The CHAIRMAN. Could you identify any of the arms or instruments which were taken from the raiders during those raids, or which they had left behind?

Mr. MAYFIELD. Yes, sir; quite a few.

The CHAIRMAN. Did you ever see a flag in connection with those raids?

Mr. MAYFIELD. Yes, sir; I saw two or three different flags.

The CHAIRMAN. We have here before us some guns. Do you know anything about them?

Mr. MAYFIELD. Yes, sir. These guns were some that I captured at different times.

The CHAIRMAN. What are the guns, are they all of one kind, or are they of different kinds?

Mr. MAYFIELD. They are mostly the German Mauser, the different kinds—that is, the infantry and the carbine Mauser.

The CHAIRMAN. I can not see them there. Will you give me one?

Mr. MAYFIELD (exhibiting gun to committee). This is—

The CHAIRMAN. There are none of them loaded, I presume?

Mr. MAYFIELD. No, sir. This is a German infantry Mauser.

Mr. JACKSON. Talk a little louder.

Mr. MAYFIELD. I say, this is a German infantry Mauser.

The CHAIRMAN. The one that you have in your hand?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. What is the difference between that and the cavalry, simply a shorter barrel?

Mr. MAYFIELD. Yes, sir. [Exhibiting another gun to the committee.] This is the cavalry Mauser.

The CHAIRMAN. A shorter barrel gun?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Do they use the same ammunition?

Mr. MAYFIELD. These two do, yes, sir. There is the six, seven, and eight millimeter, this is the eight, and I have also some six millimeter.

The CHAIRMAN. You have also some six millimeter Mauser rifles?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Did you discover any ammunition for these different guns?

Mr. MAYFIELD. Yes, sir. I have some of the three different kinds.

The CHAIRMAN. What is this box that I hand you?

Mr. MAYFIELD. That is some eight millimeter ammunition, German ammunition, which was being smuggled over to the Mexicans that was captured.

The CHAIRMAN. How much of it did you capture of this particular kind?

Mr. MAYFIELD. I personally did not capture that, but the officers in that vicinity did capture it.

The CHAIRMAN. It came into your possession from the officers there?

Mr. MAYFIELD. Yes, sir. There is three or four or five thousand rounds in that.

The CHAIRMAN. I can not, unfortunately, read German, but I am familiar enough with the language to see that it would be German that I notice printed upon the box. Probably my colleague can. I also notice on the side of the box the legend, "Made in Germany."

Senator SMITH. That is German.

The CHAIRMAN. This box has printed German upon the outside and also the German description of the ammunition printed in German on the inside of the lid of the box?

Mr. MAYFIELD. Well, each cartridge is stamped eight millimeter. It is stamped on each.

The CHAIRMAN. You found ammunition also for the six and the other millimeter guns?

Mr. MAYFIELD. Well, I have it in these bandoleers here. [Indicating bandoleers lying on table.] This was taken in the Ojo de Agua raid.

The CHAIRMAN. That is the belt with the clips containing the cartridges in it?

Mr. MAYFIELD. Yes, sir.



The CHAIRMAN. How was it taken; was it found lying on the ground?

Mr. MAYFIELD. On one of the dead bandits.

The CHAIRMAN. Taken from his body?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. I notice this is a web belt?

Mr. MAYFIELD. Yes, sir; a hand-made web belt. He also had a German iron cross on that belt.

The CHAIRMAN. Do you know what became of the cross?

Mr. MAYFIELD. Yes, sir; I have it. [Producing cross.]

The CHAIRMAN. This article which you hand to the committee is a German iron cross taken from the body of this bandit?

Mr. MAYFIELD. It was taken from the body of this bandit, and I understand it is a German iron cross. It has a German soldier on it and an Austrian soldier on it.

The CHAIRMAN. We have here a leather belt. Do you know where that came from? It has ammunition in it.

Mr. MAYFIELD. Yes, sir; that was taken from the Mexican killed at the McAllen ranch the day they attacked Mr. McAllen.

The CHAIRMAN. What is the character of the ammunition in this leather belt?

Mr. MAYFIELD. Why, it is seven millimeter.

The CHAIRMAN. Seven millimeter ammunition?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. German ammunition?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. I have here a pistol of some kind; what is that, do you know?

Mr. MAYFIELD. I understand it is a German automatic; I do not know; it has some inscription on it.

The CHAIRMAN. Do you know where that came from?

Mr. MAYFIELD. Yes, sir. I arrested the Mexican who had that gun on.

The CHAIRMAN. Where did you arrest him?

Mr. MAYFIELD. Hidalgo County, Pharr.

The CHAIRMAN. In what language is the inscription, if you can tell?

Mr. MAYFIELD. Why, I do not know; I think German.

Senator SMITH. I can not read it, it is too dim for my glasses. Anyhow, it is not American.

Mr. MAYFIELD. No, sir.

The CHAIRMAN. It is a Belgian-made gun. What are these clubs that are lying on the desk?

Mr. MAYFIELD. They are a homemade billy, that in searching for some ammunition I got six of those out of one Mexican's house. It just shows the crude form of fighting.

The CHAIRMAN. Something in the nature of a policeman's club?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. The Mexican was not a policeman, was he?

Mr. MAYFIELD. No, sir.

The CHAIRMAN. Where did this saber come from?

Mr. MAYFIELD. I had information that there was a Mexican officer staying in my town, and my partner and I searched the place about

daylight one morning to see if it was so—that he was staying there—and I got this saber and a belt—a web belt that holds 100 rounds of ammunition—and the commission out of this place. He was a lieutenant colonel, but I did not find him.

The CHAIRMAN. By whom was the commission signed, if you know?

Mr. MAYFIELD. Carrancista; that is, it was issued by the Carrancista government.

The CHAIRMAN. The man for whom you were searching got away, but you found the belt and the saber there and the commission, also?

Mr. MAYFIELD. Yes, sir; it is stamped a Mexican saber.

The CHAIRMAN. Where did this machete come from?

Mr. MAYFIELD. That was a saddle machete that was lost by 10 of those raiders that crossed over at Granjeno ranch sometime in October. They used these machetes to cut the wire fences with. In this raid they cut 47 fences on their trip from the river out through the ranches and back, and we were trailing them, and this was lost on the trail.

The CHAIRMAN. What is this old pistol—what is this old pistol that I hand you; do you know where it came from?

Mr. MAYFIELD. I do not really know just where that came from. That has been with—

The CHAIRMAN. This instrument that I hand you here, do you know what that is?

Mr. MAYFIELD. Yes, sir. That is what is known as a brass knuck.

The CHAIRMAN. Where did that come from; do you know?

Mr. MAYFIELD. I arrested a Mexican with that at Mercedes; he had it in his pocket.

The CHAIRMAN. Was that during the time of these raids and disturbances?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. How did you happen to arrest him?

Mr. MAYFIELD. Well, we had some information as to some gambling that was going on, and some disorder.

(Capt. Hanson exhibited a flag to the witness.)

Mr. MAYFIELD. I know that; I saw another flag with the same inscription on it as that.

The CHAIRMAN. With reference to these bombs that you testified the Japs were making, from your information where were the Japs making these bombs?

Mr. MAYFIELD. It was a place they called Garania, it was about 3 miles east of Reynosa, Mexico.

The CHAIRMAN. Were there Carrancista soldiers there at the time at that place?

Mr. MAYFIELD. Well; I do not know. It was de la Rosa's camp. De la Rosa was staying in the garrison at Reynosa. He would go to Reynosa each night to stay, but he had this particular camp out there.

The CHAIRMAN. In his own command?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. And the Japs were in his own command?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. You say de la Rosa would go to the Carranza camps. Do you know whether he ever spent the night there?

Mr. MAYFIELD. He spent the night at the garrison, at the Carranza garrison, that was the information that we had from a number of witnesses, the Carranza garrison at Reynosa.

The CHAIRMAN. Do you know anything about the Ojo de Agita raid?

Mr. MAYFIELD. Well, nothing more than I knew of it, I did not go there. I was detained on some other business.

The CHAIRMAN. From your information gathered in pursuit of and in attempts to apprehend the raiders, you ascertained as I understand you that they rendezvoused upon the Mexican side of the river generally and came across to this side and committed their depredations.

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. What, if any, attempt was made, to your knowledge, by any of the Carrancista soldiers or officers to apprehend these raiders and to assist in preventing the raids?

Mr. MAYFIELD. None whatever. We repeatedly asked for some few of the people that we knew. I had one occasion at one time, this Antonio Rocha, who was indicted in three cases of murder, and we had asked for Antonio Rocha several times, and one time Capt. McCoy phoned me and asked me to go to Brownsville and meet the Mexican officials with Gen. Parker and see if we could get Antonio Rocha over. I went there and they questioned me as to whether we had Rocha indicted or not and I assured them that we could get three warrants for him, and the Mexican officials answered by saying that if I would bring the testimony and evidence at Matamoros that they would give Rocha a fair and impartial trial in Matamoros but they would not deliver him to us on this side to be tried.

The CHAIRMAN. Did you make any further attempt to secure his delivery?

Mr. MAYFIELD. No, sir; I did not because I knew that there were other officers who had asked for different people that way, and we found that it was almost impossible or we never got any results.

The CHAIRMAN. From the information which you have obtained in your official business in pursuance of your duties with reference to these raids, what did you learn, if anything, as to who on the other side, if any one, was assisting the raiders?

Mr. MAYFIELD. Well, Gen. Nafarrate was in charge of the garrison at Matamoros, and all the information we had, why, the different raids were planned by him and De la Rosa to this side.

The CHAIRMAN. How long have you been in this city now, Mr. Mayfield, in this city, San Antonio, I mean, on this occasion?

Mr. MAYFIELD. I came here Tuesday morning.

The CHAIRMAN. You have remained here ever since, have you?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Are you still an officer?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. What position now?

Mr. MAYFIELD. Deputy sheriff of Hidalgo County.

The CHAIRMAN. Do you know Mr. Forres, one of the witnesses who testified a few days ago—Henry Forres?

Mr. MAYFIELD. Yes, sir; I have just met him a few days ago.

The CHAIRMAN. Do you know the Mexican consul? Have you ever been to his office?

Mr. MAYFIELD. Well, I have never been to his office until yesterday, and I went with Mr. Forbes to the Mexican consul's office.

The CHAIRMAN. Did you accompany Mr. Forbes to the Mexican consul's office yesterday?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Do you speak Spanish?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. You understood what was said there with reference to Mr. Forbes's request for the visé of his passport?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. What was the answer which he received?

Mr. MAYFIELD. Well, they refused to visé the passport, and I asked them in Spanish why, what reason they gave, and he only shrugged his shoulders and said, "Son las ordenes," those were the orders, and this clerk went back in the consul's office and I spoke to the clerk in the reception room and asked him if he could give me some reason, and he said no, he had no reason, that they would not issue the passport.

The CHAIRMAN. You knew that Mr. Forbes had previous to this time given testimony before this committee?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Is there any other statement that you can think of that you care to make, without being interrogated?

Mr. MAYFIELD. Unless it is in regard to the plan of San Diego. I arrested this man who had this original plan of San Diego on him.

The CHAIRMAN. Who was he?

Mr. MAYFIELD. Basilio Ramos.

The CHAIRMAN. Basilio Ramos; his name is mentioned in the plan of San Diego, is it not?

Mr. MAYFIELD. Yes, sir; he is one of the signers.

The CHAIRMAN. Where did you arrest him?

Mr. MAYFIELD. McAllen, Hidalgo County.

The CHAIRMAN. Do you know where he is now?

Mr. MAYFIELD. No, sir.

The CHAIRMAN. You got a copy of the original plan of San Diego from the person of Ramos when you arrested him?

Mr. MAYFIELD. When I arrested him I took the original copy off of him; yes, sir; and his code and pass through the Carrancista lines.

The CHAIRMAN. He had a pass through the Carrancista lines?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Who were they signed by?

Mr. MAYFIELD. Nafarrate.

The CHAIRMAN. Gen. Emiliano Nafarrate?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Were you present here when the copy of the plan of San Diego was read by the secretary?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Was that identical with the original plan which you took from Ramos?

Mr. MAYFIELD. As far as I remember; yes, sir.

The CHAIRMAN. You say you do not know where Ramos is. Do you know what became of him; was he placed under bond or in custody?

Mr. MAYFIELD. He was placed under bond, and his bond was forfeited, and the information I had was that he returned to Mexico through Laredo.

The CHAIRMAN. You don't know where he is now?

Mr. MAYFIELD. No, sir.

The CHAIRMAN. Thank you, sir, Mr. Mayfield.

(Thereupon, at 12.35 o'clock p. m., the committee recessed until 2.30 o'clock p. m. of the same day.)

AFTER RECESS.

TESTIMONY OF W. E. VANN.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Are you a citizen of this country?

Mr. VANN. Yes, sir.

The CHAIRMAN. Native of what State?

Mr. VANN. Texas.

The CHAIRMAN. What is your official position?

Mr. VANN. Sheriff of Cameron County at present.

The CHAIRMAN. How long have you occupied that position?

Mr. VANN. In Cameron County six years—near about six.

The CHAIRMAN. Is Cameron County on or near the international boundary?

Mr. VANN. Yes, sir.

The CHAIRMAN. Between this country and Mexico?

Mr. VANN. Yes, sir; on the border.

The CHAIRMAN. What have been the conditions in your county, Mr. Sheriff, as to law and order or violence, during your term of office or any part of it?

Mr. VANN. Well, at first everything was very quiet over there a few months in 1914—I was elected in 1914, and along in 1915 it got pretty rough—1915 and 1916; but since that time it has been a little more quiet.

The CHAIRMAN. To what were the disturbed conditions due in 1915 and 1916?

Mr. VANN. Due to the bandit troubles we had down there—what we always called the bandit troubles.

The CHAIRMAN. Where were these bandits from, if you know, generally?

Mr. VANN. Well, the most of them were from Mexico. There were some Mexicans, however, on our side of the river that joined in with them.

The CHAIRMAN. Among whom—can you mention the names of the more prominent from this side of the river?

Mr. VANN. Well, there was Luis de la Rosa and Aniceto Pizana, and Pedro Paz and Antonio Rocha—Joe Benavidez was a pretty good, real noted Mexican, and a pretty good man—that were on this side, and quite a few.

The CHAIRMAN. Did you ever have any communication concerning these raids with the Mexican general in command on the other side of the river?

Mr. VANN. Yes, sir.

The CHAIRMAN. What was his name?

Mr. VANN. Nafarrate—Gen. Nafarrate.

The CHAIRMAN. You personally had communication with him as sheriff?

Mr. VANN. Yes, sir; I went across the river and talked with him on three different occasions, I believe—two or three times I talked to Gen. Nafarrate up in his office.

The CHAIRMAN. Along what line was the conversation?

Mr. VANN. On the line of the bandits. We had come to the conclusion that Nafarrate was backing up the bandits, and the Carranza Government—rather, the soldiers over there, the army, was kind of backing up the bandit troubles, and I went over to see Nafarrate about it. He always denied it very strongly to me, and promised very faithfully every time I ever saw him that he would do everything he could to assist us.

The CHAIRMAN. Did he do it?

Mr. VANN. He did not.

The CHAIRMAN. Did you have any evidence to justify you in the belief that the other Carrancistas were lending aid and assistance or comfort to the bandits?

Mr. VANN. Yes. There were two bandits killed on this side of the river that had on Carranza soldier uniforms, and I mentioned that to Gen. Nafarrate—or Col. Nafarrate, what we called him—and his excuse was for that that sometimes they were a little more or less negligent, and that possibly those boys could get a uniform, and it would be unbeknownst to them, they wouldn't know it, and that was about the excuse they gave me for that.

The CHAIRMAN. His attempt was to make you believe that somebody else had secured their uniforms?

Mr. VANN. Yes, sir.

The CHAIRMAN. And were wearing them?

Mr. VANN. Yes, sir. But it was so plain, we knew, of course—we were right there, Nafarrate on one side of the river and us on the other, and soldiers—and all we could hear about from people that came across—we captured quite a few, and they told us about it, that the military authorities were in with them—one Mexican in particular said that, young Flores, after we captured him, he said that De la Rosa and Pizana both were in the Carrancista army and were pretty high officers in the army—and they were the leaders of these bandit forces.

The CHAIRMAN. That was Cheno Flores?

Mr. VANN. Yes, sir.

The CHAIRMAN. He is here—

Mr. VANN. Yes, sir.

The CHAIRMAN. In attendance upon this hearing?

Mr. VANN. Yes, sir. And he gave us the names of quite a few. The only one we connected Cheno Flores with, the main one, was the train wreck—we caught Cheno two days after the train wreck, and he told us all about it, he wanted—

The CHAIRMAN. He admitted his part in the wreck?

Mr. VANN. He was with them, and they were right across from the Las Rucias ranch on the other side and had been there for a

couple of days to plan this raid, and were led by Luis de la Rosa and Pizana.

The CHAIRMAN. Did he say where they came from?

Mr. VANN. No; he said that he hadn't been over there but a few days, Senator, and that they were there then—in that part of the neighborhood when he went over—it seems that he and Guajardo and three or four Mexicans on this said went over—I don't know, they didn't volunteer—

The CHAIRMAN. Who?

Mr. VANN. Guajardo.

The CHAIRMAN. His story was that he had been compelled to go over?

Mr. VANN. Yes, sir.

The CHAIRMAN. He had been captured and compelled to go over?

Mr. VANN. No, I don't think that he had been captured and compelled—Pedro Paz said that before a notary, he didn't say he was compelled to go there—I don't remember just how his statement came in, but he wasn't there but a couple of days, and I think he said they were to come there, and had their headquarters there when he went with them, Senator; and after we went back we found some facts, where the rail had been pulled up by a big wire, and they had some of those hand grenades that were made out of inch and a half pipe with a tap screwed on them, with wire—picked up some of them at the ranch.

The CHAIRMAN. What were they loaded with, do you know?

Mr. VANN. Yes; I unloaded one, it had little iron bullets and one thing and another, you may say.

The CHAIRMAN. Dynamite or powder?

Mr. VANN. Yes, sir; it was powder. And then they had some spades, they had a couple of spades I think on this occasion, and they had crowbars and had big wrenches to take the taps off of these plates that goes on these railroad tracks—fishplates; and they were pretty well equipped, with two or three—these kinds of things left at the wreck, that we got the next morning. But we got him the next morning, and he said, "Now, captain, I want to tell you the truth, I want you to know that I am telling you the truth about it. We did not go back toward the river that morning"—or "that night, but went across the Paso Real and came back 5 or 6 miles and went back across to Sebastian and back in the lower part of the county:" he said, "we crossed the Paso Real," which was 25 miles from the train wreck—"just right about daylight the next morning," he said, "we have a regular path-crossing place we cross, we have a boat there that is sunk there,"—the water I suppose is 15 or 20 feet deep—"and we would get in that boat and go across, sometimes it takes two or three loads." And I asked him how many were in the bunch, he said about 60, he didn't know them all, but he named de la Rosa and Pizana, Benavidez, and several of those boys. And we asked where this boat was, and he showed us where it was and we pulled it up with wire, we poured the water out of the boat, and went across to Paso Real. And he said, "I left my gun with six shells cartridges here," across Paso Real, and he showed us those and we got those—a 30-30 Winchester and six shells; and then of course I knew he had been with them, because he showed us the road, and we knew he had been telling the truth about it.

The CHAIRMAN. Were there any Carranza soldiers in that vicinity?

Mr. VANN. No, sir; not upon that Paso Real.

The CHAIRMAN. How far from there?

Mr. VANN. There were Carranza soldiers up the river; lots of them at Matamoros.

The CHAIRMAN. How far were the Carranza soldiers from Paso Real where they crossed the river?

Mr. VANN. Possibly 30 miles.

The CHAIRMAN. At that time?

Mr. VANN. Yes, sir.

The CHAIRMAN. Did you have any experience in attempting to secure the return to this country of any fugitives from justice whom you desired to bring over?

Mr. VANN. Yes, sir; I think I made requisition for extradition for 10, possibly 11, on the other side.

The CHAIRMAN. What has been your experience?

Mr. VANN. Well, I was ignored in every case except the last requisition I ever made, last year, in 1919, I made requisition for Pedro Paz and Antonio Rocha, and they were attempted to be delivered to me, and one of them was delivered, but the other was killed before he was delivered to me. But others prior to that, they ignored every requisition I ever sent in.

The CHAIRMAN. What was your experience with reference to that requisition which was granted?

Mr. VANN. Well, I think on Tuesday—they notified me Tuesday morning or Monday afternoon late—that the governor of the State of Tamaulipas had ordered the two prisoners turned over to me.

The CHAIRMAN. That was Gov. Osuna?

Mr. VANN. That was Gov. Osuna over at Victoria, Mexico. And they were to deliver these two parties to me Tuesday morning at the international bridge if I would come up, and Mr. Fred Winn and I went up to the bridge, but they didn't show up, and I think they came over sometime that day and told us they couldn't get by with them, but would come up the next morning at daylight, so we went back again the second morning by daylight and they sent a letter down to me, written in Spanish—Mr. Winn read it to me—in which they said that the city marshal of Matamoros was sick and could not make the trip that morning, and so they wanted to put it off until the next morning. We said all right, we would put it off until Thursday morning.

Thursday they didn't show up and didn't send us any message at all, so I went over in the afternoon to see them about it, and Thursday, during the day, I wired the governor at Victoria, Mexico, myself that they had promised me on two or three different occasions to bring them over and wouldn't do it—I was getting a little leary about it; and so he wired me back and told me to go over and see the colonel and demand them at Matamoros, and so I did. I got his wire, went over and saw the colonel, and he turned this message over to the—to another—what do they call them? The deputy district judge, I think; I think the district judge is at Laredo, and this fellow that was acting down there, was at that time district judge, so he tried to explain to me. the judge said I was entitled to them and should have them. Col. Bermillo said he didn't think I



ought to take them out in the afternoon, and the judge says: "Well, I am going to turn them over to him right here, you can take them at any time you want to." Well, I said: "Well, I am ready to take them." Mr. Winn and I were together, and I said: "I am ready to take them." But the colonel sent out about 15 or 20 soldiers and told us not to take them; so we didn't take them. And the next morning I was at old Hidalgo, about 60 or 70 miles from Brownsville, and all on the train from there crossed over the river and went over to Reynosa, I suppose a half a mile from the river—we had a light, a little light, and went back down the river possibly a half a mile; we heard the train whistle and the smoke puffing, and directly—I was standing by the customs office down at the river, and it wasn't but a few minutes until I saw them coming down the hill, and I suppose there were 20 soldiers with those two parties; the district judge came up with them and some other party of his—one or two parties—and they got in a bus over there, or carriage, and came right down to the office, and was standing there, so there were about 20 Mexican soldiers that were sort of behind these boys and gathered behind them on each side of the road and around them, and had those two boys in front, just walking them down.

The CHAIRMAN. Now, what was the character of the country there?

Mr. VANN. Oh, it was open; you could see them a quarter of a mile; there wasn't a stick of timber around there——

The CHAIRMAN. Did it have a fence?

Mr. VANN. Yes; a fence ran up to the left and the river to the right, where they were going to cross, the river made a sort of bend as it came down—and they had these boys, and had a rope tied around their arms, and jerked down like that [illustrating] the rope tied behind them, their hands tied behind them; and it looked like as they got within about 100 yards of the ferry which was there—and there was other Mexicans, three or four Mexicans and myself, three or four standing around there, and this man Rocha attempted to run, kind of sort dodged; it looked to me like he jumped to the right, came toward me; it looked to me like he jumped to the right 5 or 10 feet, and these soldiers shot him.

The CHAIRMAN. Shot him, you say?

Mr. VANN. Yes, sir.

The CHAIRMAN. Killed him?

Mr. VANN. Killed him. I couldn't hear anything, of course; I saw the gun smoke and heard the sound of the gun, but I couldn't hear anything that was said at all; I was too far away.

The CHAIRMAN. Was Rocha an American citizen, or a Mexican citizen?

Mr. VANN. He was an American citizen, and I think also Paz—I am not sure, but I think Paz was.

The CHAIRMAN. Which of the two men, if either, were you more anxious to extradite, to get across?

Mr. VANN. Rocha; we knew he was the bandit leader, and we had information from Mexico on several different occasions from which we knew he was the leader of this bandit gang; and at the time we didn't know that Paz was with the bandits at all—except we knew that Mr. Taylor and Mr. Scribner sent him out from San Sebastian

to get a couple of horses, and he stole the horses and sent them across the river, or carried them across the river, and he afterwards acknowledged to me, while in jail—he is still in jail—he admitted that Rocha and Aniceto Pizana made him go with them on this raid.

The CHAIRMAN. Rocha was the man you wanted?

Mr. VANN. Rocha was the man I wanted. We knew on several occasions he had been on this side in these raids?

The CHAIRMAN. What was the charge upon which his extradition was demanded—his extradition at that time?

Mr. VANN. I demanded at that time his extradition on account of a charge of murder across the river on the 17th of January.

The CHAIRMAN. What year?

Mr. VANN. 1919. He and Pedro Paz came across the river and killed Toribio Rodriguez. I never did understand the thing or exactly know what they did kill him for, but they went up the river and killed him, and when we were notified in the afternoon, they went across the river, and we notified Col. Bermillo.

The CHAIRMAN. Now, in securing or seeking the extradition of these men, were you compelled to submit to the Mexican authorities evidence in the case?

Mr. VANN. Yes, sir; I submitted—we had really an inquest proceeding—we submitted this testimony to them, and they demanded later, a few days, the witnesses in person, and so I went up the river and summoned them, the witnesses in person, to go across the river and testify in the case, which they did, and on the—possibly 30 days later they had them back over there the second time and had them testify the second time, testify twice, the witnesses in the case, and they brought out these prisoners, more than they had the first time; they brought out a bunch of prisoners, possibly 30 or 40 in the bunch, and Antonio Rocha denied that he crossed the river, and they took—had all these prisoners out, and they identified them, these two men.

The CHAIRMAN. Now, in submitting the evidence on which you asked the extradition—in submitting this evidence to the Mexican authorities—was there any evidence showing Rocha's connection with the bandits that had committed these depredations?

Mr. VANN. I called their attention to the fact; he acknowledged the fact that I had three or four indictments against him for murder in connection with bandit troubles, in addition to this time that I demanded in the requisition.

The CHAIRMAN. Well, now, when he was shot, you say there were 20 armed men around him?

Mr. VANN. Yes, sir; I think there were 21; to be accurate, Senator, I think there was 21.

The CHAIRMAN. And he was coming down, within about 100 yards of you and facing you?

Mr. VANN. Yes, sir.

The CHAIRMAN. With those men behind him, and his arms were tied?

Mr. VANN. Yes, sir.

The CHAIRMAN. If a man had tried to escape, would he have attempted to get off of the road or out of the road on the side this man was at the time he got off, or on the other side?

Mr. VANN. He would have jumped on the other side; he could have run 30 steps and jumped off the bank into the river and possibly had some chance to get away in the water; but he couldn't possibly get away on the other side; it was a wire fence.

The CHAIRMAN. A wire fence?

Mr. VANN. Yes, sir.

The CHAIRMAN. How far would he have to run to run into that wire fence?

Mr. VANN. About 30 steps.

The CHAIRMAN. And his hands and arms were tied with a rope?

Mr. VANN. Yes, sir. The prisoners were not tied together.

The CHAIRMAN. The prisoners were not tied together?

Mr. VANN. No, sir.

The CHAIRMAN. Each was tied, with his arms tied to the rope?

Mr. VANN. On Saturday morning while I was in Matamoros talking to Col. Bermillo and the district judge about this business. I had my handcuffs in my pocket and offered them my handcuffs—I didn't know whether they had any or not—and told them to cuff them together, that then they couldn't possibly give any trouble, and they refused to take them; they said they had always tied them; and they tied them with that little rope.

The CHAIRMAN. But each tied separately?

Mr. VANN. Yes, sir; each was tied separately. And when the gun was fired the judge and I walked up to where they were—I hadn't seen Rocha for quite a little while—I walked up; they turned him over on his back and put his hat over his face, but I pulled his hat off, and the judge says, "Is that Rocha?" I says, "Yes, sir; that is him." And then I took my knife myself and cut his arms loose and pulled his hat off his face; and he kind of shrugged his shoulders after I told him I knew him, that I knew it was Rocha; so I walked on down with him, with the bunch of soldiers with Paz, and they delivered him to me at the river. I receipted for him—in fact, Senator, the judge came on down, and he wrote the receipt himself in Spanish for me to sign for both of them—he walked out of this little office, and we saw them coming down the road and when they shot Rocha, why, he tore this receipt up and wrote it for one man then—this other man had been killed.

The CHAIRMAN. It is not worth while, Mr. Sheriff, to detain you, to ask that you go into the details of the raids, and your experiences there as a peace officer, as we have had various other witnesses on the stand. We thank you very much for your statement. That is all.

### TESTIMONY OF CAPT. EVERETTE ANGLIN.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

The CHAIRMAN. Where do you live, Captain?

Capt. ANGLIN. McAllen.

The CHAIRMAN. Are you a native of this country?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. What State?

Capt. ANGLIN. Texas.

The CHAIRMAN. What official position, if any, do you hold?

Capt. ANGLIN. At present I am city marshal of McAllen.

The CHAIRMAN. Did you hold any official position in 1915 and 1916?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. What?

Capt. ANGLIN. I was mounted inspector of customs, also deputy United States marshal.

The CHAIRMAN. Did you have any experience during those years in the border troubles on this side of the river?

Capt. ANGLIN. Some; yes, sir.

The CHAIRMAN. How long have you lived on the border?

Capt. ANGLIN. About 16 years.

The CHAIRMAN. During the period of 1915 and 1916 did you know Basilio Ramos?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. Did you know or learn of the plan of San Diego?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. Do you know anything of the connection of Ramos with that plan and the uprisings following it—bandit raids?

Capt. ANGLIN. Well, there was a Mexican staying in the hotel at McAllen by the name of Dr. Andres Villareal; he came to me one night and told me that Basilio Ramos had been to see him in his room and had laid this plan of San Diego before him, told him he had been sent there to confer with him, and wanted him to join him. He told me about what was in the plan, and I made arrangements with him to meet Ramos the next morning at 9 o'clock and to carry him to Teodoro Guerra's store in McAllen; I was to meet him there.

The CHAIRMAN. Did you meet them?

Capt. ANGLIN. I did not. He failed to get there until about an hour late; I had gone when he came, and Mr. Mayfield was there and arrested him.

The CHAIRMAN. Arrested Ramos?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. That was Tom Mayfield?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. The witness who has just testified?

Capt. ANGLIN. Yes, sir. We got his grips and searched them and found the plan of San Diego in them.

The CHAIRMAN. Did you find any other papers of any importance?

Capt. ANGLIN. Well, I didn't examine the papers; they were turned over to the deputy U. S. marshal, and Ramos was taken to Edinburg and put in jail.

The CHAIRMAN. Do you know anything about a raid at Ojo de Agua in 1915?

Capt. ANGLIN. Yes, sir. We arrived about daylight. The raid took place about 3 o'clock in the morning.

The CHAIRMAN. You arrived a short time after the raid?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. What were the circumstances of that raid? How many people—bandits—were in the raid, if you know?

Capt. ANGLIN. When we got there there were three dead bandits laying out in the road in front of the house, where a detachment of

Cavalry was stationed—12 soldiers stationed there. I think there were three dead soldiers—American soldiers.

The CHAIRMAN. Three dead American soldiers?

Capt. ANGLIN. Yes, sir; and four wounded soldiers laying in the house and under the house. There were 10 dead cavalry horses and some mules; I forget how many.

The CHAIRMAN. Did you learn the approximate number of the attacking forces?

Capt. ANGLIN. Estimated to be about 65, and we followed them to the river, we trailed them to the river and they crossed, and we could see them on the other side.

The CHAIRMAN. You could see them?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. You did not cross after them?

Capt. ANGLIN. No, sir. Among those that were killed there was one Japanese and two soldiers, Carranza soldiers.

The CHAIRMAN. Were any of these men ever apprehended by the Mexican officials on the other side and returned to you—to this side?

Capt. ANGLIN. No, sir.

The CHAIRMAN. Was any effort ever made by the Mexican officials, Carranza soldiers, or others upon the other side to apprehend them, to your knowledge?

Capt. ANGLIN. No, sir.

The CHAIRMAN. In coming to the national boundary to make this attack, if they came from the other side, what point did they leave, if you know, on the Mexican side?

Capt. ANGLIN. Reynosa Vieja is the name of the place.

The CHAIRMAN. How far was it from Reynosa Vieja to any of the Mexican authorities or soldiers?

Capt. ANGLIN. Well, there was a Carranza station at Reynosa Vieja, a detachment of soldiers stationed there.

The CHAIRMAN. Now, when these people crossed back, where did they cross?

Capt. ANGLIN. Well, they crossed the river right—right near where the road was—about 2 miles farther down the river, and they went direct to the river and crossed.

The CHAIRMAN. Do you know where they went when they reached the other side?

Capt. ANGLIN. No, sir; I don't.

The CHAIRMAN. Which direction were they headed?

Capt. ANGLIN. When we saw them there were several of them afoot and several on horseback and they were headed toward Reynosa Vieja, the direction they were traveling.

The CHAIRMAN. Toward the place from whence they had come—

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. To make the attack?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. And there was a Carranza garrison there?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. Was there any other damage done at Ojo de Agua besides the mere killing of a few soldiers—American soldiers?

Capt. ANGLIN. They burned a residence there belonging to Mr. Dillon, robbed the post office and a store.

The CHAIRMAN. Do you know anything about any trouble at a crossing near Mission?

Capt. ANGLIN. Sir?

The CHAIRMAN. Do you know anything about any trouble at a crossing near Mission and a fight which ensued there?

Capt. ANGLIN. Yes, sir. That is known as the Cavazos Crossing.

The CHAIRMAN. Cavazos Crossing?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. What was that trouble?

Capt. ANGLIN. Well, we—a few days after the raid at Ojo de Agua, I went in company with six other peace officers—we had some information that some of this loot that had been taken out of the stores was hid down there in the brush in the bend of the river, so we went down there to make an investigation, and while we were there the soldiers were on the other side—there was a little immigration office over there, customhouse, on the Mexican side, and there was a troop of cavalry there; some of them were mounted and some dismounted, had their horses down to the edge of the river, bathing them.

The CHAIRMAN. Carranza cavalry?

Capt. ANGLIN. Yes, sir. We stood under cover there quite a while to see what we could see, and Mr. Baker, the sheriff of the county, walked out upon a levee that had been thrown up, and they saw him, and when they did they commenced shooting at him.

The CHAIRMAN. That is, Mr. A. Y. Baker?

Capt. ANGLIN. Yes, sir; we returned the fire and we fought there about an hour, I guess, and finally we ran them off; and so there was a kind of horseshoe in the bend of the river there, and they would get around and kind of cross-fire on us; and we thought it was about time to move, and we went out to Mission and got two troops of Cavalry. Capt. Frank McCoy was stationed there, and Capt. Wells. We got back there and reported to them what we had run into, and they returned to the river with us. As soon as we reached—got back to where we had to fight, there had been some Mexicans killed; we didn't any of us get hurt.

The CHAIRMAN. You say there had been some Mexicans killed?

Capt. ANGLIN. Yes, sir; in this fight.

The CHAIRMAN. In the fight with your posse?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. About how many do you know?

Capt. ANGLIN. We never did learn; no, sir.

The CHAIRMAN. Those who were killed on the Mexican side?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. You were shooting across the border?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. All right now; when you arrived with the soldiers—

Capt. ANGLIN. There was one soldier wounded; he didn't die.

The CHAIRMAN. And there was one soldier wounded among the American forces in the fight that took place then between the American soldiers and the Carranza soldiers?

Capt. ANGLIN. Yes, sir; they started the fight about 9 o'clock and it lasted until 4.30 that afternoon, when they withdrew. They were

all in hiding behind trees and rocks on the other side of the river. It is rough country there, and it was very seldom we could get to see one of them; they just kept up continued fire all day, and they had a bugler with them, and withdrew about 4.30.

The CHAIRMAN. Did you go over that battle field any time or visit the scene thereafter?

Capt. ANGLIN. We returned there the next morning at daylight with the cavalry; they had run a train up from Reynosa and unloaded another troop of cavalry there.

The CHAIRMAN. The Mexicans had?

Capt. ANGLIN. Yes, sir; there were two troops there when we arrived on this side; they had taken all their stuff on the other side of the river; we could see them, but there was not any fighting taking place that next day.

The CHAIRMAN. Did you see any dead bodies there—any evidence of anybody having been hurt?

Capt. ANGLIN. Not the next morning.

The CHAIRMAN. Did you at any time after the—

Capt. ANGLIN. No, sir.

The CHAIRMAN. And there was one soldier wounded among the American forces in the fight?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. None killed?

Capt. ANGLIN. None killed.

The CHAIRMAN. Do you know anything about a raid upon the Las Norias ranch?

Capt. ANGLIN. Yes, sir; we—Mr. Baker phoned me the day following the raid, asked me if I would meet him out at Mr. Sprague's ranch; that he was going to try to get this bunch of bandits that—that raided the Las Norias ranch. So we went out there in cars—there were ten of us in the party—and got some horses there and went to the Jesus Maria ranch, owned by Amado Cavazos, who is deputy sheriff. These bandits had been there and had just left. They had butchered a cow there and ate, and Cavazos told us who was in the party and gave us some literature—some circulars—that they had left there.

The CHAIRMAN. What was the character of this literature?

Capt. ANGLIN. Well, it stated—I forget just how it was worded—anyway, there was going to be a general uprising; they were going to kill all the Americans, especially the rangers, soldiers, and officers; said it was an order from Carranza. They had left several of those circulars and he gave them to us. He also knew some of the people that were in the party.

The CHAIRMAN. Now, to return a moment to this raid upon Ojo de Agua—you say that in addition to the killing, that the Dillon store and residence were burned and the post office was robbed? Was there a wireless station there at that time?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. Had been?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. What was the condition of the wireless station after this raid?

Capt. ANGLIN. Why, it was pretty badly shot up; these soldiers were camped in a little frame house, and I am satisfied there were

500 bullet holes in the house—I never counted them, but it had been estimated there were fully that many.

The CHAIRMAN. This was a military wireless station, was it?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. What was the general condition around McAllen, and in all that vicinity during the years of 1915 and 1916 as to the safety of the peaceable, law-abiding citizens of that community?

Capt. ANGLIN. Well, lots of our citizens left and moved away from the country; them that didn't, most of the farmers that lived out in the country, brought their families to town and they organized a home guard and patrolled the town every night—kept the ladies—women and children inside of the city limits. Lots of people moved, went away.

The CHAIRMAN. Were you ever at Rio Bravo, Mexico?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. Did you ever see anything unusual in that vicinity on any of your trips there?

Capt. ANGLIN. I was in the customs service, stationed at Hidalgo, when the Carranza forces, under Gen. Lucio Blanco, marched onto—they taken Raynosa and marched down the river to Rio Bravo and camped; they seized a bunch of horses that belonged to Mitchell & Jennings, on the Saltena ranch, in Mexico.

The CHAIRMAN. Mitchell & Jennings were American citizens, were they?

Capt. ANGLIN. Yes, sir. They had bought the live stock off of this Saltena's ranch; the collector of customs rang me up and asked me to go to Rio Bravo and see Gen. Blanco and see if he would deliver these horses to Mr. Jennings at Rio Bravo, and asked him if he would allow him to cross them over. I went over there and talked to Gen. Blanco about the horses, and he told me he needed those horses and had to have them; he had taken them from the Saltena ranch. I told him I had been sent there; that the horses belonged to an American citizen; to an American, and he would like to get them; and he told me that he had an American citizen hanging in a mesquite tree down there; I could go down and look at him if I wanted to; and so I did—I went and looked at him.

The CHAIRMAN. Who was it; do you know?

Capt. ANGLIN. It was Juan Alamia.

The CHAIRMAN. An American citizen?

Capt. ANGLIN. Yes, sir; brother of the tax collector of Hidalgo County.

The CHAIRMAN. You did not get the horses?

Capt. ANGLIN. No, sir.

The CHAIRMAN. Did you learn why this American citizen was hung?

Capt. ANGLIN. No, sir. I didn't ask any questions. There were two other men hanging with him.

The CHAIRMAN. Did you know who they were?

Capt. ANGLIN. I did not. I knew Juan Alamia very well; had known him for years.

The CHAIRMAN. But you did not know the other two?

Capt. ANGLIN. No, sir.

The CHAIRMAN. And you did not seek to satisfy your curiosity any further?



Capt. ANGLIN. No, sir.

The CHAIRMAN. Did you ever cross into Mexico before or since that?

Capt. ANGLIN. I did before; I haven't since.

The CHAIRMAN. On any of your trips into Mexico did you ever have any personal experience with the Carrancista soldiers?

Capt. ANGLIN. Just a few days before this—well, a day or two after Gen. Blanco had taken Reynosa—I was in charge of the customhouse at Hidalgo, and had crossed live stock there, cattle and goats, and we had to have the Government veterinarian from Brownsville to come up there and inspect this stock which was crossed; he had phoned Brownsville and asked for the veterinarian to be sent up, he had a bunch of goats there to be crossed, and he asked me if I would make sure that these goats were ready to be crossed; so I sent a note across the river to the man in charge, to know if he was going to allow these goats to be crossed; he sent a note back to me and told me he would come down to the bank of the river on the Mexican side and asked me if I would come over and talk to him, so—

The CHAIRMAN. Who was this man that sent you this invitation?

Capt. ANGLIN. Capt. Ortiz.

The CHAIRMAN. Of the Carranza army?

Capt. ANGLIN. Yes, sir. I went over and met him there. He came down to the bank of the river, and he told me that he thought that I was interfering with Mexican affairs and that he was going to take me up and put me in jail; that he had orders from his commanding general to execute anybody that meddled with his business.

The CHAIRMAN. His commanding general was Lucio Blanco?

Capt. ANGLIN. Yes, sir. I tried to argue the question with him, but the more I argued the worse he got; so he said he would take me up and put me in jail and send the sentence down to Gen. Blanco, and if he confirmed it, why, I would be shot at 12 o'clock that night: and there was a lieutenant there—that is, captain or lieutenant—whom I knew; he had been in the old Federal army. He interceded for me, and finally he threw his gun down on this captain and held him until I got in a boat and crossed the river; so the captain ordered him shot, but he jumped in the river and swam across in front of the customhouse, and they shot at him—fired 16 shots at him—but didn't hit him.

The CHAIRMAN. And he got across on this side?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. And you made your escape into Texas?

Capt. ANGLIN. Yes, sir.

The CHAIRMAN. After this experience, and learning from this captain what Blanco's orders were, when he told you that you could find this American hanging down in there, why, you did not pursue the inquiries any further?

Capt. ANGLIN. Oh, no, sir.

Senator SMITH. Did this party whom you met there know that you were holding an official position under the United States Government?

Capt. ANGLIN. This captain?

Senator SMITH. Yes.

**Capt. ANGLIN.** Yes, sir.

The **CHAIRMAN.** I believe that is all, Captain. I am very much obliged to you, sir.

### TESTIMONY OF MARCUS HINES.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

The **CHAIRMAN.** Where do you reside, Mr. Hines?

Mr. **HINES.** In Santa Maria, Tex.

The **CHAIRMAN.** What is your occupation?

Mr. **HINES.** Customs inspector.

The **CHAIRMAN.** A little louder, please.

Mr. **HINES.** Mounted customs inspector.

The **CHAIRMAN.** On the border?

Mr. **HINES.** Yes, sir.

The **CHAIRMAN.** How long have you been mounted customs inspector?

Mr. **HINES.** About six years.

The **CHAIRMAN.** In the pursuance of your official duties as mounted customs inspector, did you have any experience along the border with bandits or raiders from Mexico upon this side?

Mr. **HINES.** Yes, sir.

The **CHAIRMAN.** Do you remember how many raids you learned of, or knew of personally, during your experience there; did any of them particularly much impress themselves upon your mind?

Mr. **HINES.** Well, I have had about 8 or 10 of them, I was in 2 of them; and then I got there after the others had happened.

Mr. **JACKSON.** They can not understand you, Mr. Hines—you will have to speak more distinctly and louder.

The **CHAIRMAN.** You were in two, I understand, and you were there shortly after several others occurred?

Mr. **HINES.** Yes, sir.

The **CHAIRMAN.** Do you know anything about the Las Norias raid?

Mr. **HINES.** Yes, sir.

The **CHAIRMAN.** Where were you at that time?

Mr. **HINES.** I was at the ranch.

The **CHAIRMAN.** At the Las Norias ranch?

Mr. **HINES.** Yes, sir.

The **CHAIRMAN.** What occurred there?

Mr. **HINES.** Well, there was a bunch of Mexicans surrounded the ranchhouse, and we had a fight with them.

The **CHAIRMAN.** Were you in that fight?

Mr. **HINES.** Yes, sir.

The **CHAIRMAN.** You say you are a mounted inspector. In the service of the United States Government, were you?

Mr. **HINES.** Yes, sir.

The **CHAIRMAN.** Was anybody hurt in that fight?

Mr. **HINES.** Yes, sir.

The **CHAIRMAN.** Who?

Mr. **HINES.** Old man Martin, and a fellow by the name of Forbes, three United States soldiers.

The **CHAIRMAN.** Was anyone else?

Mr. HINES. There were some Mexicans.

The CHAIRMAN. You mean Mexicans of the attacking force?

Mr. HINES. Yes, sir. There were four Mexicans killed there; then they killed a woman there that lived on the ranch—the bandits did: the attacking party—the bandits killed a woman.

The CHAIRMAN. A Mexican woman?

Mr. HINES. Yes, sir; old Antonio Rocha killed her; killed the woman.

The CHAIRMAN. Antonio Rocha?

Mr. HINES. Yes, sir.

The CHAIRMAN. Have you heard the testimony of these witnesses who have immediately preceded you—Sheriff Vann?

Mr. HINES. Yes, sir; I heard Vann.

The CHAIRMAN. Was that the same Antonio Rocha of whom he spoke?

Mr. HINES. Yes, sir.

The CHAIRMAN. Did you take part in any other fights between bandits?

Mr. HINES. Yes, sir.

The CHAIRMAN. Where?

Mr. HINES. About 5 or 6 miles east of San Benito, the day they captured Dodds and killed two men.

The CHAIRMAN. The two men who were killed were the Austins—father and son?

Mr. HINES. The Austins—father and son? No, sir.

The CHAIRMAN. Smith and Donaldson?

Mr. HINES. No, sir. They hadn't been there but a little while; I don't know the gentlemen's names.

The CHAIRMAN. You didn't know them?

Mr. HINES. No, sir.

The CHAIRMAN. They were two Americans, were they?

Mr. HINES. Yes, sir.

The CHAIRMAN. Did you see the bodies?

Mr. HINES. No, sir.

The CHAIRMAN. Did they have a fight there?

Mr. HINES. Yes, sir; we had a fight that evening. We ran into them; we got into them that evening.

The CHAIRMAN. Where?

Mr. HINES. About 2 miles from where they captured Dodds.

The CHAIRMAN. What kind of fight did you have?

Mr. HINES. Well, we were in the road, and they were on each side of the road shooting at us; we were just shooting at them in the brush, and we killed a Mexican there in the brush.

The CHAIRMAN. Do you know where these men who you were fighting, where they went?

Mr. HINES. Not all of them.

The CHAIRMAN. Do you know where any of them went?

Mr. HINES. Yes, sir.

The CHAIRMAN. Where?

Mr. HINES. Some of them were killed.

Senator SMITH. Do you know where they went?

Mr. HINES. No, sir; I don't. They told me they went back into Mexico, but then I don't know that of my own knowledge—it was afterwards, you know.

The CHAIRMAN. In any of these raids, do you know whether there were any Carranza soldiers identified?

Mr. HINES. Not that I know of.

The CHAIRMAN. You do not know this?

Mr. HINES. No, sir.

The CHAIRMAN. You do not know yourself of the identification of Carranza soldiers?

Mr. HINES. I thought that some of them were Carranza soldiers, but then I didn't know.

The CHAIRMAN. From what you learned there in the pursuit of your official duties, did you ascertain whether these disturbances and raids were a part of a preconceived and worked-out plan, or whether they were simply sporadic outbreaks of bandits?

Mr. HINES. Well, right at the time, when the bandits first broke loose there, why, we—I didn't know what was the cause of it, but naturally, of course, working in it all the time we got onto it pretty well.

The CHAIRMAN. You did?

Mr. HINES. Yes, sir.

The CHAIRMAN. Well, what did you get onto?

Mr. HINES. Well, it was planned to take Texas and that country and give it back to Mexico, it was—to be plain with you about it, I think the Germans were back of the whole thing.

The CHAIRMAN. From information which you secured, it made the impression on you that the plan was backed by the Germans?

Mr. HINES. Yes, sir.

The CHAIRMAN. Well, now, did you ever have any talk with any Germans in that country about it?

Mr. HINES. No, sir. I had on one occasion, that when we were out after these bandits, I came up to a house that had a German flag over it.

The CHAIRMAN. The German flag flying over it?

Mr. HINES. Yes, sir.

The CHAIRMAN. Now, who lived there?

Mr. HINES. It was a farmer there. He had been there about a year or so. He had two or three Mexicans working for him. I took down the flag and asked him what it was for. He told me that these Mexicans told him if he would put that up anybody coming along wouldn't hurt him, and he was scared to death, and I let him go.

The CHAIRMAN. What did you do with that flag?

Mr. HINES. I gave it back to him and told him to be sure not to put it up again, and he said he wouldn't.

The CHAIRMAN. His excuse for having that German flag was these Mexican bandits told him to put it up?

Mr. HINES. No, sir; the Mexicans working for him.

The CHAIRMAN. Oh, the Mexicans working for him.

Mr. HINES. I am sure he didn't do it only to secure protection.

The CHAIRMAN. To secure protection?

Mr. HINES. Yes, sir. The Mexicans working for him told him.

The CHAIRMAN. He was assured that it would secure him protection?

Mr. HINES. The Mexicans working for him told him to put that up and they wouldn't hurt him.

The CHAIRMAN. Do you know where he got it?

Mr. HINES. No, sir; I never asked him. I told him to be careful and not put it up any more.

The CHAIRMAN. You told him to be careful and not put it up any more?

Mr. HINES. Yes, sir; I told him I didn't want it up there. The people were pretty fairly excited them times out in the back country, and nearly all of them left, you know.

The CHAIRMAN. That is, the residents of the country—the citizens?

Mr. HINES. Yes, sir.

The CHAIRMAN. They were liable—did you think that the people themselves were liable to resent this German flag being exhibited?

Mr. HINES. Who—the American people?

The CHAIRMAN. Yes.

Mr. HINES. Why, there were three or four of the boys with me, and they were pretty sore about it. I talked them out of it and told them that man was scared to death.

The CHAIRMAN. You talked them out of what?

Mr. HINES. Tearing that flag up.

The CHAIRMAN. They were pretty sore?

Mr. HINES. Well, they didn't care much about seeing one of these flags flying over Texas, our country, I suppose. They were mad about it, but after we talked about it, why, we let it go.

The CHAIRMAN. Let it go with a warning?

Mr. HINES. Yes, sir.

The CHAIRMAN. With a warning if he put it up again?

Mr. HINES. Yes, sir.

The CHAIRMAN. That is all, Mr. Hines. I am very much obliged to you.

#### TESTIMONY OF MRS. NELLIE F. AUSTIN.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

The CHAIRMAN. Are you an American citizen, Mrs. Austin?

Mrs. AUSTIN. Well, I was born in Montreal.

The CHAIRMAN. You were born in Montreal?

Mrs. AUSTIN. Yes, sir.

The CHAIRMAN. Who was your husband?

Mrs. AUSTIN. A. L. Austin.

The CHAIRMAN. A. L. Austin?

Mrs. AUSTIN. Yes, sir.

The CHAIRMAN. Was he an American citizen?

Mrs. AUSTIN. Surely.

The CHAIRMAN. Of what State was he a native, if you know?

Mrs. AUSTIN. Vermont.

The CHAIRMAN. Vermont. How long have you lived in Texas, Mrs. Austin?

Mrs. AUSTIN. Ten years last September.

The CHAIRMAN. Was your husband alive when you came here?

Mrs. AUSTIN. Yes, sir.

The CHAIRMAN. When did he die?

Mrs. AUSTIN. The 6th of August, 1915.

The CHAIRMAN. Where?

Mrs. AUSTIN. At Sebastian, Tex.

The CHAIRMAN. Did you have any children?

Mrs. AUSTIN. Two. Charley they murdered when they killed his father; my youngest son, Louis, was at Balboa Heights, Canal Zone.

The CHAIRMAN. How old was your son Charles?

Mrs. AUSTIN. Just 30.

The CHAIRMAN. What happened at that time when you say your husband was killed—who killed him?

Mrs. AUSTIN. Why, Mexicans; I couldn't tell you who they were, as I don't know them.

The CHAIRMAN. At what time did the Mexicans come to your house?

Mrs. AUSTIN. Well, you know, I have never been certain about the hour, but it was, I should suppose, 9 in the morning as nearly as I can think.

The CHAIRMAN. Just what were the circumstances, what occurred there?

Mrs. AUSTIN. Well, I was—hadn't commenced to do my work, I had been very ill and was only able to get around slowly, and sat there—I sat there resting, and I heard leather creaking, and chains rattling; I looked up and, as I supposed, there were a number of Mexicans on horseback, with guns; I immediately knew they were bandits from knowing they were in the neighborhood a few nights before. I didn't know anything more than for a minute, for I closed my eyes. When I came to I saw them again, and there were only five; my fright made me suppose there was a great number; they crowded as they came toward the house and there was a little two-wheeled gig drawn up, was right behind them, with my husband, son, and Elmer Millard, who worked on the sheller with them. I didn't remember any more.

When I opened my eyes again one bandit was in the room where I was, with my son standing in front of him; he had a gun right up at his stomach, and I said, "Why, Charley, what do they want, what do they mean, my son?" When he spoke to me I saw he was very excited and he said, "Keep quiet, mother, everything is all right, don't worry." When I first looked I didn't notice the gun, but in a minute, noticing it, I got up to go over there and push it away, and Charley told me, in as cross a voice as he could, to go and sit down and keep quiet. I then noticed that there were two other Mexicans, one just about two feet behind the other at my kitchen door, one with a gun right on my boy, and right outside of the door was another one, his gun pointed at him. I went then and sat down on a couch, where I could see my husband as he sat out in the car. I asked him what was meant, and he told me in the same way not to worry, everything was all right. They then—the fellow who was in front of Charlie wanted to know if we had any firearms; Charlie told them yes, we had two guns, and he went to get them for him, they were over in the corner, not far from where he was standing. He got the guns, and I can't remember whether that man took them or not—that gun. They then wanted ammunition, and I had to tell my son where the ammunition was—I believe I hid it, knowing that bandits were around. They asked for more, and I thinking, when Charlie answered them, that perhaps they might believe me, told them no, we had no more. One of those guns was a shot gun, and the other one was an old army rifle that had been loaned to my husband and

son to kill deer. Then they wanted to know if we didn't have a pistol; Charlie told them no, and I thinking perhaps they might believe me, also told them that we never had owned one. Well, I don't remember anything more; when I opened my eyes again they had left the house. When I came to I could see the horse being slowly turned around; Charlie was sitting in the middle, driving it. I ran to the table, and I asked my husband wasn't he coming in to me before he went, never thinking there was anything up but just robbery. My husband says, "Don't worry, Mother, I will be back in a moment—I will be back in a minute."

They had taken the guns out, and one of the men sitting on horseback, in front of the window, took this old army rifle and threw it on the ground; some one picked it up and handed it to him, and he threw it again—they seemed greatly displeased with it. They then turned and went away; I watched them until they turned to go down toward the country—there were quite a number of very good houses, and I could see them until they turned down this direction, then the wall of the house hid them from view until they went through the gate. After they had gone through the gate they closed it very carefully after them, and I could see our horses plunge and jump, and I wondered what was the matter, but not thinking about it, I was so pleased to think they had gone. After a while—well, it wasn't but a few seconds—I stood up—I had been writing a letter to my son and I thought I would add a postscript and tell him the bandits had been there and robbed the house—I stood up to go to the table to write, and I heard this volley.

The CHAIRMAN. Firing?

Mrs. AUSTIN. It was—yes, just that once—it seemed as though one gun might have lagged, but they fired at the same time. I knew what it was—and I think for a moment I must have gone crazy. When I came to I was standing at the same place; my dog had come into the house and was jumping up in my face, lapping it with his moist tongue, brought me to. I knew enough to get my hat and to start after them to find them—and I kept feeling my heart give out, and I got but a short distance from the house when I saw that I would not be able to go farther. As I turned to come back and sit down until I was able to breathe again, I saw Elmer Millard coming back, he had almost reached my gate; I waited for him to come up, and I asked him where my boys were. He said, "They have shot them, Mrs. Austin." I wanted to go—I told him I was going down to get them and he begged me not to; he said the bandits were probably there yet, and I told him a shot would not hurt me any more than it had them, and so I started alone; I went down, and there were two roads, both led through the woods, one toward the village, the other south of the 40 that we were working, and when I got to that, I didn't know where to go, which road to take, and I thought I never would be able to get to the house again; I turned around to go and see if I could get Elmer—get to Elmer, and he had followed me down and was coming through the gate; he motioned for me, which way to go, but I misunderstood him, and on account of my misunderstanding him I was going the wrong road, and he hollered to me; he told me to go the other way.

I got but a few feet in the other road when I could see my husband's feet in the roadway. He wore white trousers and I could

see him plainly; I had to pass. Charley was lying nearest, more under the bush, and I got to my husband first, picked him up—tried to pick him up first—I turned him over, and as I passed Charley I saw that Charley was dead; one of his eyes that I could see was open; then I picked my husband up and turned him over; blood was flowing from his mouth, but there was no other mark on his face. I talked to him and talked to him; I knew he was alive for his eyelashes moved—or eyelids—but he couldn't speak. When I put him down I went to Charley, and I couldn't move him for he was like a piece of stone; he was lying in a pool of blood. Elmer got to me by that time and I thought that if I could get to a physician we could save my husband. Elmer said, "Oh, no; Mrs. Austin, they are dead." I told him I knew my husband wasn't. I stayed with him, and I think it must have been a half hour afterwards when I knew my husband was dead. I could hear—I said it was two hours, others said it was about an hour and three-quarters—I could hear an auto coming, and thinking it was coming east of the road, which, if it did, it would pass me. I waited, but it went the other road and went directly to our home. Coyotes were howling not very far away and I was afraid to leave my dead and go and try to let them know where I was; but after a while I went, and I had gotten almost to my gate when Mr. Smith, the man who was helping my husband run the sheller, saw me and hollered for me to wait. I turned to go back to my dead and he caught up with me. We got to where my husband and son were lying and another auto came; they carried us into the village. Me they kept in town, but my husband and son, although I thought they were going to leave them in town, carried out to Lyford.

The CHAIRMAN. Do you know of any reason why your husband and son should have been killed by those people?

Mrs. AUSTIN. No reason whatever.

The CHAIRMAN. Had there ever been any trouble between your husband and son, or any of your family, and any of the bandits or Mexicans?

Mrs. AUSTIN. Oh, no; not a bit of trouble. You see, we didn't hire very many of them, and I don't know of any of those ever having worked for my husband.

The CHAIRMAN. You could not identify any of them?

Mrs. AUSTIN. Oh, no; no.

The CHAIRMAN. They were not natives?

Mrs. AUSTIN. One of them had borrowed money from my husband to hire help to pick his cotton; he was amongst those that came—that said, when I described the fellow who was standing in front of Charley—they said that that was Alberto Mejia; he was one of the men who had borrowed \$10 from them; but others said no, that he wasn't amongst that five; so I don't know.

The CHAIRMAN. We will not detain you any longer, Mrs. Austin. Thank you very much.

#### TESTIMONY OF JOE TAYLOR.

The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.

The CHAIRMAN. Where do you live?



Mr. TAYLOR. San Benito, Tex.

The CHAIRMAN. Are you a native of this country?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. What State?

Mr. TAYLOR. Texas.

The CHAIRMAN. What is your business?

Mr. TAYLOR. Customs inspector.

The CHAIRMAN. United States service?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. How long have you been customs inspector?

Mr. TAYLOR. Something over five years.

The CHAIRMAN. Do you know anything about what is known as the Las Norias raid near the—in your part of Texas in 1915?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. Were you there——

Mr. TAYLOR. Yes, sir.

The CHAIRMAN (continuing). At the time of the raid?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. What were you doing?

Mr. TAYLOR. Well, I was there at the ranch when the fight took place.

The CHAIRMAN. Were you in that fight?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. How many Mexicans were there in the attacking force, more or less?

Mr. TAYLOR. I think between 50 and 60; something like that.

The CHAIRMAN. How long did the fight last?

Mr. TAYLOR. I think about an hour, maybe more.

The CHAIRMAN. Some United States soldiers were engaged in it. were they?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. What were the casualties, if you know, in that fight?

Mr. TAYLOR. I think there were four or five Mexicans killed.

The CHAIRMAN. And some Americans?

Mr. TAYLOR. One United States soldier, I believe.

The CHAIRMAN. Others were wounded?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. Do you know of any other raids, disturbances, killings?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. In 1915 and 1916? Did you know a man by the name of Smith and a man by the name of Donaldson?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. You knew them when they were alive?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. Did you see them dead?

Mr. TAYLOR. Yes, sir; I think I did.

The CHAIRMAN. Where was it?

Mr. TAYLOR. It was out from San Benito, about 10 or 12 miles east of San Benito.

The CHAIRMAN. How did you happen to see their bodies?

Mr. TAYLOR. Well, after they were killed they were—a party went out there to try to get those Mexicans that killed them and I was with that crowd.

The CHAIRMAN. Did you notice the condition of their bodies?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. What was the condition?

Mr. TAYLOR. I think they had their trousers off, and it seems like their feet were hacked up, or something.

The CHAIRMAN. Their shoes off?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. About how many raids, more or less, occurred to your knowledge?

Mr. TAYLOR. I don't remember, Senator; there was a lot of them.

The CHAIRMAN. What were the general conditions as to peace and order, or violence, along the border for two years?

Mr. TAYLOR. Well, it was bad; in 1915, during the raids, it was awful bad, lots of people left there.

The CHAIRMAN. Did you know a man by the name of de la Rosa—Luis de la Rosa?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. Did you know anything about his activities during this time or before?

Mr. TAYLOR. Well, I knew him before the time, I arrested him when I was in the ranger service, for he was supposed to be killing cows out there, stealing cattle, but I couldn't get enough evidence for my case against him, and we had to let him go.

The CHAIRMAN. You knew of his being in these different raids, did you?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. Do you know anything about the objects of these raids from any Mexican source or otherwise? Did you have any talk with any of the raiders at any time?

Mr. TAYLOR. No, sir; I don't think I did.

The CHAIRMAN. You did not have any talk with the Mexicans in that vicinity as to the objects of the raids?

Mr. TAYLOR. No, sir; I didn't—I don't remember of any.

The CHAIRMAN. Where did the raiders go after committing depredations on this side, if you know?

Mr. TAYLOR. They would go back across the river.

The CHAIRMAN. In to Mexico?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. Were you rendered any assistance in apprehending them, or any of them, by the Mexican officials upon the other side?

Mr. TAYLOR. No, sir.

The CHAIRMAN. Was any obstacle thrown in your way by such officials on the other side that you know of?

Mr. TAYLOR. Well, they would seem to be protected, and they were in with them over on the other side; they wouldn't bother them; they would go right back over there.

The CHAIRMAN. They would not interfere with them when they would attempt a raid?

Mr. TAYLOR. No, sir.

The CHAIRMAN. Nor when they had concluded a raid?

Mr. TAYLOR. No, sir.

The CHAIRMAN. From your general information, who did you understand, if any, among the Carrancista officials was responsible for or supporting these raids?

Mr. TAYLOR. Gen. Nafarrate.

The CHAIRMAN. Nafarrate, of the Carranza Mexican Army?

Mr. TAYLOR. Yes, sir.

The CHAIRMAN. That is all, I believe, Mr. Taylor. Much obliged to you, sir.

### TESTIMONY OF JACOBO C. GUERRA.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized.)

The CHAIRMAN. Mr. Guerra, of what country are you a native?

Mr. GUERRA. Mexico.

The CHAIRMAN. Mexico?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. Are you an American citizen?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. Naturalized citizen?

Mr. GUERRA. Naturalized citizen (producing papers).

The CHAIRMAN. You have your papers? What official position, if any, have you held in the United States at any time?

Mr. GUERRA. First, I was county treasurer for about eight years. I think.

The CHAIRMAN. County treasurer?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. Of what county?

Mr. GUERRA. Starr County.

The CHAIRMAN. Starr County, Tex.?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. Any other official positions?

Mr. GUERRA. Sheriff and tax collector.

The CHAIRMAN. Sheriff and tax collector of Starr County?

Mr. GUERRA. Of Starr County.

The CHAIRMAN. During what years were you sheriff and tax collector; do you recall?

Mr. GUERRA. From 1914 to 1918.

The CHAIRMAN. From 1914 to 1918?

Mr. GUERRA. To December, 1918.

The CHAIRMAN. From 1914 to December, 1918, you were sheriff of Starr County?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. During the years 1915 and 1916, particularly, what Mexican factions, if any, were in control of the Mexican side of the river from Starr County?

Mr. GUERRA. The Carrancistas.

The CHAIRMAN. The Carrancistas? Do you know anything about any troubles or disturbances on this side—raids, murders, or attacks—during your incumbency of the office of sheriff?

Mr. GUERRA. Well, it was in 1915—I think it was; yes—there were some raids that occurred by some soldiers that came from the other side of the river—Carrancista soldiers—a bunch of about 16; they crossed at the Escaballo ranch, about 10 miles from Rio Grande city

The CHAIRMAN. They were Carranza soldiers?

Mr. GUERRA. Yes, sir; they were Carranza soldiers.

The CHAIRMAN. Came over on this side?

Mr. GUERRA. Came over on this side and crossed, and amongst that bunch there was a lieutenant.

The CHAIRMAN. Do you know his name?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. What was it?

Mr. GUERRA. Silvestre Castillo.

The CHAIRMAN. Where did they go after arriving upon this side, if you know?

Mr. GUERRA. Well, I was notified about 1 o'clock in the morning by phone; I started right away to the place and I met this fellow, Castillo, at the ranch and he crossed his horse, saddle, and gun—pistol—and he told me that he had crossed; that he proposed going up to Rio Grande City and paying duty on that horse and saddle. Of course, I knew pretty well from the way that he talked that he was not telling the truth; I was there and I left him in charge of one of my deputies and went out; I went right to some of my neighbors there, some of the mounted inspectors, and we went out scouting and found some guns way out in the brush, and—

The CHAIRMAN. What kind of guns were they, Mr. Guerra?

Mr. GUERRA. Winchesters.

The CHAIRMAN. Winchesters?

Mr. GUERRA. Yes, sir; we got three soldiers and a woman, that makes with the lieutenant five in all; and that woman told us—she was dressed as a soldier.

The CHAIRMAN. The woman was dressed in men's clothing?

Mr. GUERRA. The woman was dressed in men's clothing; yes, sir.

The CHAIRMAN. In a uniform?

Mr. GUERRA. Yes, sir; man's coat and pants. And I took her apart, and she told me the whole truth; she said that 12 of these men had gone back to Mexico; that they intended to go and rob the store at Saenz's ranch.

The CHAIRMAN. Was that on this side?

Mr. GUERRA. That was on this side; yes, sir. It is pretty close to Roma, about 3 miles from Roma, I think. I found that they had cut the telephone wires as soon as they got to this side; they stole a mare and a hammer; they used them for cutting the wire, you know.

The CHAIRMAN. They were cutting the wire fence?

Mr. GUERRA. Sir.

The CHAIRMAN. They were cutting the wire fence?

Mr. GUERRA. No, sir; telephone wires.

The CHAIRMAN. Telephone wires?

Mr. GUERRA. Telephone wires; yes, sir. We brought those four men and this woman and locked them in jail and we used the woman as a witness when they were tried—turned her loose and used her as a witness.

The CHAIRMAN. You released the woman and used her as a witness in this trial of the men?

Mr. GUERRA. Yes, sir; and they were sentenced to five years in the pen.

The CHAIRMAN. What did the other band do, if you know, the other 12—did they rob the store?

Mr. GUERRA. No, sir; they did not.

The CHAIRMAN. Do you know where they went; did you ever learn?

Mr. GUERRA. They went back to Mexico.

The CHAIRMAN. They went back to Mexico?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. Do you know anything about the store at Salineno being robbed?

Mr. GUERRA. Yes, sir; twice during the time I was sheriff.

The CHAIRMAN. Twice?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. By whom was it robbed, do you know?

Mr. GUERRA. By Mexican people who came over from the other side, came down the river to Mier—coming and going back.

The CHAIRMAN. How far was it from there to where there was any Carranza garrison?

Mr. GUERRA. It must be about 12 or 15 miles.

The CHAIRMAN. At Mier?

Mr. GUERRA. At Mier; yes, sir.

The CHAIRMAN. Did you know Maximiano Garcia?

Mr. GUERRA. Yes, sir; I knew Maximiano Garcia very well.

The CHAIRMAN. Where is he now?

Mr. GUERRA. He is dead.

The CHAIRMAN. Was he an American citizen?

Mr. GUERRA. He was born and raised here in this country.

The CHAIRMAN. You say he is dead?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. What was the occasion of his death, if you know?

Mr. GUERRA. He was murdered by some people that came from the other side—some Mexicans that came from the other side.

The CHAIRMAN. Do you know the cause of his murder, why they murdered him?

Mr. GUERRA. They robbed him.

The CHAIRMAN. They murdered him in committing the robbery?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. What year was that?

Mr. GUERRA. That was the 3rd day of June, 1918.

The CHAIRMAN. Were his murderers ever apprehended?

Mr. GUERRA. No, sir.

The CHAIRMAN. Where did they go after the murder, do you know?

Mr. GUERRA. They went back to Mexico; and I went to Mexico and reported the murder to the Mexican civil authorities—I went over there myself—and to the military commander.

The CHAIRMAN. To the Mexican civil authorities and the military commander?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. What was done, if anything, to apprehend them?

Mr. GUERRA. They didn't do anything.

The CHAIRMAN. Do you know anything about the killing of an American citizen by the name of Gonzales?

Mr. GUERRA. Gonzales? Yes, sir; I heard a few days ago about that case.

The CHAIRMAN. Where was he killed, if you know?

Mr. GUERRA. He was killed in Camargo, Mexico, right in front of the quarters, in front of the soldiers' quarters.

The CHAIRMAN. In front of the soldiers' quarters or barracks?

Mr. GUERRA. In front of the soldiers' quarters or barracks; yes, sir.

The CHAIRMAN. By whom was he killed, if you know?

Mr. GUERRA. By a captain by the name—I don't recollect his name—Cortina.

The CHAIRMAN. Cortina, of the Carranza army?

Mr. GUERRA. Yes, sir; of the Carranza army?

The CHAIRMAN. Do you know why he was killed?

Mr. GUERRA. No, sir; I do not.

The CHAIRMAN. You don't know anything about the reason?

Mr. GUERRA. No, sir.

The CHAIRMAN. During your administration of the preceding years, 1911, and subsequent years, what was the condition in that same neighborhood as to peace and quiet, or violence?

Mr. GUERRA. It was pretty good, pretty pleasant always.

The CHAIRMAN. Prior, I say, before 1911.

Mr. GUERRA. Oh, before.

The CHAIRMAN. What was the condition during Diaz's régime?

Mr. GUERRA. It was very quiet.

The CHAIRMAN. It was very quiet?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. Since and subsequent to that time what has been the condition in your county with reference to disturbances and violence?

Mr. GUERRA. It has been the reverse.

The CHAIRMAN. It has been the reverse?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. With reference to the attempt of the officers on this side to enforce law and order—have you been able to secure assistance from the Mexican authorities on the other side?

Mr. GUERRA. No, sir; and I have tried many times.

The CHAIRMAN. You have tried many times?

Mr. GUERRA. Yes, sir.

The CHAIRMAN. You have not been able to secure assistance either from the civil or military authorities?

Mr. GUERRA. No, sir.

The CHAIRMAN. All right, Mr. Guerra. Thank you very much.

#### TESTIMONY OF TOM MAYFIELD—Recalled.

(The witness was warned by the clerk of the subcommittee that he had been sworn and was still under oath.)

The CHAIRMAN. Mr. Mayfield, in the performance of your official duties, did you become acquainted at any time with a man by the name of Lawrence, calling himself Lawrence or Lorenz?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Under what circumstances?

Mr. MAYFIELD. Well, I had the information that this man was—was making threatening remarks in reference to our Government,

and I was working on those cases, enforcing what is known as the Hobby loyalty act in the State of Texas, and I put a man by the name of Chaney with him to secure this information, and he has his affidavit in his, in Chaney's report to me.

The CHAIRMAN. Had this man Lawrence been arrested?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Was he under bond or in jail?

Mr. MAYFIELD. He was under bond.

The CHAIRMAN. You sent a man by the name of Chaney, and a man that you knew you could depend on?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. To obtain information from him?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Of what was Lawrence suspected? You say you had heard that he was making some remarks derogatory to our country, concerning us?

Mr. MAYFIELD. Different people had told me at times that Lawrence had said that the German people had officers in Mexico training the Mexican soldiers, and that any time that they saw fit to come over to the American side they, the German people, would give them all the help and support necessary, and blow up our pumping plants—destroy the pumping plants, destroy all the foodstuffs possible; so I put Chaney with him then to secure this information, as I was working under instructions of Capt. Anderson at the time, and that was his instructions, to get two affidavits before I made a complaint.

The CHAIRMAN. This paper which you have handed the committee is a copy of a summary of the affidavit made by Chaney in the nature of a report to you?

Mr. MAYFIELD. Yes; that is Chaney's report.

The CHAIRMAN. As to what he learned from Lawrence?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. Chaney's statement was corroborative, then, of what you had learned by general rumor and report concerning Lawrence's statement?

Mr. MAYFIELD. Yes, sir; and on the examining trial, why, Lawrence admitted to that statement, too, which the court records at Brownsville, of the Federal court, will show, before United States Commissioner Goodrich.

The CHAIRMAN. What became of Lawrence?

Mr. MAYFIELD. He was placed on trial and I don't know what disposition has been made of the case since.

The CHAIRMAN. In the examining trial he admitted that he made these statements here?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. As reported to you by Chaney?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. To the effect that there were officers on the other side and men—he was a German citizen, wasn't he?

Mr. MAYFIELD. Yes, sir. That they had German officers.

The CHAIRMAN (reading):

That they have men and officers on the other side training the troops. We can blow up these river pumps whenever we like, because we can come over here; we won't leave here, but will join them here. We have already blown

up a bunch of ships in New York Bay. We are going to win this war. We will show the God damned bone heads who we are. Gen. G. has more sense than all the Americans have.

Do you know whom he meant by "Gen. G."; did he explain that?

Mr. MAYFIELD. He told me, but I didn't—General—I don't remember now: it was some German general—he explained it on the examining trial, but I don't remember it now.

The CHAIRMAN (reading):

You are helping out the Red Cross, but I helped them the first time they came around, but I'll never have any more money to help them with. And he said the Government was assuming the food situation; a poor institution for the working man at home. \* \* \* There are not a half a million men going over there, for the German submarines have got at least half of them.

Where was this man Lawrence operating?

Mr. MAYFIELD. He owned a little piece of property on what is known as the Alamo tract or Alamo subdivision, in Hidalgo County.

The CHAIRMAN (reading):

And he stated that they—

The Germans—

had German spies in San Juan and McAllen, Tex.

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. And all over the country?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. And he made this corroborating statement?

Mr. MAYFIELD. Yes, sir; to Capt. Stevens, and also to Judge Goodrich.

The CHAIRMAN. He was living near the border—

Mr. MAYFIELD. Yes, sir; within 8 miles of the border.

The CHAIRMAN (continuing). Where he could come in contact with the Mexican bandits and others?

Mr. MAYFIELD. Yes, sir.

The CHAIRMAN. That is all. Thank you.

The committee will now go into executive session, and after the executive session is over, the committee will be in recess until tomorrow until half past 10.





# INVESTIGATION OF MEXICAN AFFAIRS.

**SATURDAY, JANUARY 24, 1920.**

## **SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS, UNITED STATES SENATE.**

The subcommittee met pursuant to the call of the chairman at 2.30 o'clock p. m., in the pink room of the Gunter Hotel, in San Antonio, Tex., Senator A. B. Fall presiding.

Present: Senators Fall (chairman), Smith; and Dan M. Jackson, Esq., clerk of the subcommittee.

The CHAIRMAN. The committee have no other witnesses to examine, I believe, but I think that possibly there is some gentleman who desires to make a statement before the committee, and who has so notified the secretary or special agent for the committee, and we would be glad to hear him now.

Mr. JACKSON. Gentlemen, is there anybody who desires to make a statement before the committee?

### **TESTIMONY OF JAMES W. SULLIVAN.**

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. If you desire to make a statement, you can make it provided it is pertinent. You understand, Mr. Sullivan, what this committee is doing, and under what instructions it is acting, do you?

Mr. SULLIVAN. No; I do not, Senator—you are Senator Fall?

The CHAIRMAN. Yes, sir; and this is Senator Smith.

Mr. SULLIVAN. No; I couldn't say I exactly know the instructions the committee have got at all. All I know is through the newspapers. I know this committee are here for the purpose of holding an investigation to find out as I understand, conditions in Mexico; and after a number of days going over the matter, I thought, as I was a property holder in Mexico and have lived there for a long number of years, something over 20 years, and knew the country pretty well, that I wrote here to the House Rules Committee in August. I believe it was, a letter in regard to my views on the situation down there, and I thought I would come to express those view to this committee.

The CHAIRMAN. Well, the committee will be very glad to hear any views, and your views as to what particular point.

Mr. SULLIVAN. Well, in regard to—did Mr. Hanson give you the article?

The CHAIRMAN. Yes; I have it here, a copy of the San Antonio Light of August 17, 1919, containing an article or referring to and embracing, I believe, a letter from you directed to the House Com-

mittee on Rules with reference to Mexican matters, headed, it says, "Certain interests seek intervention," and I believe this contains your—

Mr. SULLIVAN. Yes, sir. Well, the—

The CHAIRMAN. Now, if you have any information upon any facts showing that any interests in the United States are seeking intervention—you referred to armed intervention, war with Mexico—if you have any statement to make concerning that, based upon the facts within your knowledge, we would be glad to hear you, and of course there may be 1 or 10,000,000 theories about Mexican matters. We would not have time to hear the theories, but anything based upon facts we would be glad to hear you.

Mr. SULLIVAN. That is exactly the idea. In my communication it looked as though that time intervention was a very serious matter; things were at a white heat.

The CHAIRMAN. What is your conception of intervention?

Mr. SULLIVAN. I thought we were going to have armed intervention in Mexico, and my object was to avert, if possible, armed intervention. I realize, which we all do, that there has been a great many atrocities committed during the revolution in Mexico, and I realize, furthermore, that the people in this country, and there as well, of the better class and those who understood could not help but sympathize with whoever were unfortunate enough to meet with those calamities. They were horrible things, and I believe the Mexican people themselves are very sorry to see such things ever take place. And I thought going down the line over the matter, as these things were beginning to grow very rapidly, intervention looked for a while as though it was going to take place, that there was another remedy which possibly could be adopted for the welfare of Mexico and the foreigners and Americans and all those who had interests in the country; that there was another method that could be pursued to fetch about peace down there instead of armed intervention, because it looked to me, from my experience, that the Mexican people are a proud people and are very resentful of anything that would in any way jeopardize their sovereignty.

Now, I thought if we could overcome the enormous expense, etc., which would be coupled with it by giving the present administration of Mexico—and I wish to state specifically I have no friendship whatever with any government in Mexico or any of their people so far as Mr. Carranza is concerned; I have never met the man, I don't believe there is a man in the Carranza Government to-day I know personally. When the first trouble broke out I was very much in favor of the Diaz people. I want to see peace. I knew what the results would be, because Madero was a friend of mine; I used to buy his cotton seed in former years. I regretted to see that step taken at that time. I was for anything to keep things harmonized and keep Diaz's administration in office was my theory. It looks to me—I am not thoroughly posted in these things, I am taking it from a humanitarian point of view. As it looked to me afterwards, when Huerta was turned down by our Government, De la Barra was also eliminated from the field, Carranza was put in office, and it is generally understood by we people of the United States that he was sustained by President Wilson, he was established as the established

Government of Mexico, and I believe upon that theory, if such was the case, that the Government in all due justice should be given a fair chance. I believe the man should have been given a fair chance, in my argument there with the house rules committee, if they needed financial assistance in Mexico, that we authorize the stated Government as it is to-day, should have been given that assistance to the extent of allowing them to reestablish their railroads and their military forces in to fetch about peace, which is two of the essential things in any country, which is necessary to fetch about peace. You must have railroads and you must have military force to do so. I thought Carranza would be able to do that along them lines if he was given the necessary moral and financial aid from this country, as it was our next door neighbor, and as we had loaned millions of money and billions of money to foreign European countries that are far away. It seemed to me the great rich country she is, her assets, her wonderful natural resources, there would be no chance whatever as I could see of running a risk in lending money. I thought Mexico was a nation that was able to settle an enormous debt. I also laid stress upon the matter that I thought that it looked to me from what I could find from the daily newspapers, which was a great deal of my source of information in regard to certain things, in regard to ammunition runners, the smugglers of ammunition, and the supplying of the discontented factions from this side with all of the necessary and sinews of war to carry on all these revolutions and banditry that was going on down there, and harrassing the stated Government. That is the principal contention, Senator, which I have been taking. Now, whether I am right, I do not know.

The CHAIRMAN. Well, now, upon what information, in your position, do you base your statements, for instance, as to furnishing arms and munitions and supplies necessary to the revolutionists against the stated Government?

Mr. SULLIVAN. Through the public press, principally, and through the observation which I had through the public press.

The CHAIRMAN. You did not endeavor to ascertain officially?

Mr. SULLIVAN. No, sir; I did not.

The CHAIRMAN. Now, can you recall, Mr. Sullivan, any statement, any particular statement with reference to our furnishing or allowing to be furnished, supplies and arms and ammunition to the revolutionists?

Mr. SULLIVAN. Well, I couldn't say that I know of any particular statement outside of what I would see from day to day, or more or less, through the different weeks I have stated, in the San Antonio public press, Senator.

The CHAIRMAN. Including approximately what dates?

Mr. SULLIVAN. Well, that would be along about, oh, that would be ever since the time of the Madero revolution up to a short time ago; I have noticed in the last few months—five or six months, maybe—I might say that there seems to be somewhat of an energetic move by the Department of Justice in this country, or some of the departments of the Government, in regard to those classes of disorderly gun-runners, and so on. There seems to be a more energetic accord to what the press will say to the action taken in running down and putting an end to that class of traffic which I am very glad to see.

Senator SMITH. Do you know of any specific instance where the United States Government has permitted or encouraged the furnishing of arms to any rebellion against the Carranza Government?

Mr. SULLIVAN. No; I can't say that I know of the Government.

Senator SMITH. Do you know of any specific instance, then, where the Government is at fault in the matters of which you complain?

Mr. SULLIVAN. No, sir; not the Government. It is only through the smugglers, you know, and through those underhanded methods of getting stuff across the border.

Senator SMITH. How long have you lived in Mexico?

Mr. SULLIVAN. About 20 years, 1888 up until the forepart of 1910.

Senator SMITH. Whereabouts?

Mr. SULLIVAN. I lived in Gomez Palacio, State of Durango, about 15 years, and then in Torreon, Coahuila, about 5 years.

Senator SMITH. What first took you to Mexico?

Mr. SULLIVAN. I went there in the interests of the cotton seed oil mills and soap factories, that is the line I have been in in Mexico exclusively, altogether.

Senator SMITH. Ever since?

Mr. SULLIVAN. Yes, sir. When I moved out of there—I have been out for some few years, but I made a little money, like some of them did, because the field was ripe, you know, the field was new in supply, and being an expert on those lines myself, the people that I was connected with, Mr. Belden of Monterrey, and the Terrazas, of Chihuahua City—Mr. Belden of Monterrey, and the Terrazas people of Chihuahua—so I made a little money, and I invested down there in properties, like a great many people, a part of my savings, etc., and they are there to-day, and I feel the effects very much, as well as other people, notwithstanding my great desire was to see if we could not do something to give the present people an opportunity to re-establish peace.

Senator SMITH. I understand you had property there and that you desired, like everybody else in any country, having an interest in it either financially or a moral, psychological interest, that you wanted peace in the country?

Mr. SULLIVAN. That is, of course, what all law-abiding citizens naturally should want.

Senator SMITH. You naturally feel that. And your property is still there?

Mr. SULLIVAN. Yes, sir.

Senator SMITH. What is it?

Mr. SULLIVAN. It is real estate.

Senator SMITH. Is it city or country?

Mr. SULLIVAN. City property at the present time. I have had some properties, had stock in some of the companies, I had some stock in an oil company but I disposed of that years ago.

Senator SMITH. Why did you leave Mexico?

Mr. SULLIVAN. I was getting up in years, and I had a family of small children on my hands, and I thought San Antonio was a good place to take them. I was manager of the Lowe Union Works, in Durango, and superintendent 15 years of another works in Gomez. I moved here for the purpose of educating my children. I looked upon it in as bright a light as I could, wanted it fair and square, and

I would like to see, as I stated, my idea was, after Mr. Wilson, as I understood it, had recognized the Carranza government, I believe in giving him a chance to do what they could in order to reestablish peace in Mexico. I think that Carranza, personally——

Senator SMITH. I think we all coincide with you in that.

Mr. SULLIVAN. I think Carranza, personally, is a man of undoubted patriotic character; of a high ideal.

Senator SMITH. You do not know him personally?

Mr. SULLIVAN. You will understand that——

Senator SMITH. Then you do not know him personally?

Mr. SULLIVAN. Only to see him; I have never spoken to him.

Senator SMITH. Your opinion of Mr. Carranza's character is not a matter for the committee to take much note of.

The CHAIRMAN. I, as one of the members, would be very glad to have it.

Senator SMITH. You will pardon me, mine was merely to get an insight into your relations there, and how long you had been there, and the purpose of your leaving, and I intruded on my colleague's examination for the purpose of gratifying my own curiosity in that particular.

The CHAIRMAN. And your colleague is under obligations to you.

Mr. SULLIVAN. I desire to state, Mr. Fall, I have known of Mr. Fall for a great number of years, in Mexico, I knew his brother Phil, a very fine boy in those days, I have not seen him for a long number of years, he was a very good friend of mine in Chihuahua, I have not seen him for a great many years, I have some very pleasant recollections of him, however.

The CHAIRMAN. Mr. Sullivan, this committee of course proceeds upon the theory that every man who appears before it, is either under subpoena, or voluntarily, and we are glad to have all who may help us in our investigation, particularly when we proceed upon the theory that every man is in perfect good faith, and in the questions which may be propounded to you—which already have been propounded and which may be propounded to you, we are proceeding upon the good faith and upon the assumption that you are in perfectly good faith.

Mr. SULLIVAN. I hope to be; yes, sir.

The CHAIRMAN. At times it may appear that the committee is rather resentful of some intimations that the committee may not be proceeding in good faith. Now, you do not know then that upon the declination, the official declination of President Wilson to recognize the Huerta government, that he issued a proclamation prohibiting the exportation of arms and ammunition to that government?

Mr. SULLIVAN. I have read, Senator, on, I think, several times where there has been orders issued by some of the departments of the Government, I don't know whether it was Mr. Wilson or not, where the prohibition of the importation of arms to Mexico had been prohibited.

The CHAIRMAN. I mean to Huerta?

Mr. SULLIVAN. No, sir.

The CHAIRMAN. The Huerta government?

Mr. SULLIVAN. No, sir.

The CHAIRMAN. Do you know at that time, that by the same proclamation and orders issued to the military and other authorities that this Government allowed arms and ammunition to go across the border to Carranza and his revolutionary forces?

Mr. SULLIVAN. Well; I could not just exactly say, but I am under the impression they did allow them to go across.

The CHAIRMAN. Now, have you ever heard of any order allowing arms and ammunition to go to Mexico since October 19, 1915?

Mr. SULLIVAN. Well; since October, 1915, that is a different government.

The CHAIRMAN. That was, this date Mr. Carranza was notified he would likely be recognized by this Government as the de facto chief of Mexico.

Mr. SULLIVAN. No; I couldn't say—that is, as coming from the Government I couldn't say.

The CHAIRMAN. Now, it is not my purpose to go into details, but I may inform you that it is a matter of record which you can easily ascertain from the offices here, the collector of the port, and Army Intelligence, and others here in San Antonio, that the policy of this Government generally, until very recently, has been to allow Mr. Carranza, at least from time to time, to secure arms and munitions and supplies, necessary supplies, from across the border, from this country, but has universally and absolutely deprived any one else in Mexico of such facilities; that the Government has in fact assisted up until recent date Mr. Carranza in securing arms and munitions and necessary supplies, and has prohibited the exportation of arms and ammunition or necessary supplies to any one in revolution against Mr. Carranza.

Mr. SULLIVAN. The Government has done that?

The CHAIRMAN. Yes, sir; that is a matter of public record you can ascertain from the Army officials, intelligence department, the customs officers, collector of port, and other officials.

Mr. SULLIVAN. Of course, that wasn't my contention, Senator. The idea was this: As I say, there was a great deal of lawlessness on both sides among the irresponsible classes on both sides of the river, trafficking in ammunition and supplies of that sort. My idea was that the Government ought to use more vigilance, more strenuous laws, even though it would cause possibly a struggle.

The CHAIRMAN. Do you know what military forces the Government of the United States has maintained along this border now for years, and is maintaining at present?

Mr. SULLIVAN. I couldn't say, Senator. I know at the present moment it has considerable; to what extent I don't know, but at the present moment it is considerable. A few years ago, though, I don't think it was very strong.

The CHAIRMAN. Do you know what instructions the military authorities and the military forces along this border have had from this Government with reference to the exportation of arms and munitions?

Mr. SULLIVAN. No; I am not posted on that.

The CHAIRMAN. Have you any idea what the cost has been, the approximate cost of the maintenance of the military forces along this border, to this Government?

Mr. SULLIVAN. I presume it is very heavy.

The CHAIRMAN. What would be your guess about the amount?

Mr. SULLIVAN. Well, I presume it would be, along the border, it would be probably a couple of million dollars a year.

The CHAIRMAN. And that in, say, five years, \$2,000,000 a year, would amount to about \$10,000,000.

Mr. SULLIVAN. Yes, sir; it would.

The CHAIRMAN. Would you be surprised if you were informed now that from as accurate sources as we have been able to reach, I mean governmental records, that the cost has been \$1,500,000,000 to the taxpayers of the United States?

Mr. SULLIVAN. To maintain the force on the frontier?

The CHAIRMAN. Yes, sir.

Mr. SULLIVAN. In 10 years, did you say?

The CHAIRMAN. During the revolution, since we first placed the forces here.

Mr. SULLIVAN. How much was that?

The CHAIRMAN. One billion and a half, approximately \$1,500,000,000, which the people, the taxpayers, of the United States had to pay.

Mr. SULLIVAN. Well, that is a pretty good sum.

The CHAIRMAN. Now, provided the purpose was largely, in addition to protecting our citizens from raids across the border, was largely to prohibit the very things which you have referred to—that is, aid and assistance going to the revolutionary forces in Mexico—if that was the purpose, would you not consider that rather a substantial contribution by Mr. Wilson to the Carranza government?

Mr. SULLIVAN. Well, that would be, in that light, it would be a very strong effort indeed to overcome the troubles.

The CHAIRMAN. Now, Mr. Sullivan, I think that I stated to you that you can ascertain these facts from the records and from the border. I think possibly Gen. Dickman and Gen. Howard at El Paso might give you some information. I have reason to think that they would not hesitate to give you any reasonable information along those lines, and that the collector of the port here, and other officials, would be glad to give you information which would possibly correct some of the impressions under which you were laboring when you wrote this letter.

Mr. SULLIVAN. Of course, as I say, the idea of mine was to eliminate those troubles, if there was some legitimate way to do it, because I believed that the Mexican people themselves, as I stated, are a proud people, and that they would resent any move, you know.

The CHAIRMAN. What is your idea about the American people, do you think they have any pride?

Mr. SULLIVAN. They generally always had quite a lot of pride. I mean—I was figuring on, as I stated in my article, about the intervention, that the San Diego raids down here and those border raids, I believe, was along about the time our soldiers went into Mexico at Vera Cruz, and I believe the people in that country at the time were strongly of the impression that their country was going to be grabbed from them; they naturally flew to pieces and thought possibly that the aid of a lot of ambitious malcontents helped to urge them along.



The CHAIRMAN. Let us see whether your opinion is correct. Do you remember the date of the landing at Vera Cruz?

Mr. SULLIVAN. No; I don't, Senator, just exactly. I can't say I do remember the date; I never kept much track of dates of things.

The CHAIRMAN. Would you be surprised to know that it was approximately a year before the first raids or before the plan of San Diego was mentioned?

Mr. SULLIVAN. That our soldiers went to Vera Cruz?

The CHAIRMAN. Yes.

Mr. SULLIVAN. I thought it was along about that time.

The CHAIRMAN. You were writing in August about the conditions, the constant improvement of conditions in Mexico, and you learned of Mexico largely around Torreon, your experience there?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. What was your information as to the general conditions in and around Torreon and the district north of Torreon and accessible to Torreon by the railroad at that time and a few months prior thereto, as to law and order and as to improvements in conditions?

Mr. SULLIVAN. Prior to—

The CHAIRMAN. Before your letter here in August?

Mr. SULLIVAN. Oh, I see, in August, well along about that time. that would be the last of August, conditions in that laguna country, from all the sources of information I could find through our daily press of here and persons I saw coming out of Mexico, some of my American friends, things were picking up rapidly, and the dependency seemed to be among the best people that conditions were readjusting themselves very rapidly; in fact, they were anxious to see them readjusted; people were more than anxious; it was on their minds to help them along, to see that the readjustments were made, that was along the latter part of July, and there was some, a couple of my friends were up here; Mr. Fletcher, from Torreon; he is in Torreon now in the lumber business, I believe, and he spoke of things picking up very well.

The CHAIRMAN. And it was upon such information that you so stated in your letter to the House committee?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. Do you know, or did you know at that time, the American consul at Torreon?

Mr. SULLIVAN. No; I don't know him, Senator.

The CHAIRMAN. Do you know the acting consul, consular agent at Torreon in the absence of the American consul?

Mr. SULLIVAN. The only one there that was important—that was George Carruthers.

The CHAIRMAN. Yes; he was consular agent prior to the Madero régime.

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. Did you know Mr. Lathrop, the American vice consul?

Mr. SULLIVAN. No, sir; I didn't know him.

The CHAIRMAN. Do you know it was the custom of the Federal agents of the American Government in Mexico to report directly to the State Department at regular periods as to the conditions in their district?

Mr. SULLIVAN. Well, I presume it is.

The CHAIRMAN. Now, Mr. Sullivan, here is the point: You have given your impression upon the information coming to you and you have sent it directly to the committee of the House, in Congress—the Rules Committee—which at that time was conducting certain hearings. Now, suppose that the departments of the Government and the House committee had information officially that led them to believe that the statements you made were possibly, of course, made in good faith, but were possibly made without understanding exactly the circumstances, then you would not criticize the House committee for not inviting you before them?

Mr. SULLIVAN. No; naturally I couldn't.

The CHAIRMAN. Now, I want to call your attention to the report from Mr. Lathrop, the American vice consul at Torreon, Coahuila, Mexico, of June 23, 1919, from the American consulate, made to the honorable the Secretary of State, Washington, D. C., who, as you know, is Mr. Lansing, speaking of the political conditions in the Torreon district. As I say, we presume the good faith of everyone coming before the committee and certainly we presume good faith of the American officials—naturally that seems to be in the minds of some people a very violent presumption—this committee still has the temerity to engage in it. I am only going to call your attention to some of the portions of this letter, and some others I am not; ordinarily I would not make public the report at all.

In the northern part of the State of Zacatecas—

Mr. Lathrop reports—

there is only two American properties of note. One a mining property at Chalchihuites and the other a large ranch of the Continental Mexican Rubber Co., located at Cedros. Both of these properties have been raided several times within this year and the latter company has repeatedly requested that the Mexican Government afford at least a degree of protection. So far only many unfulfilled promises have been made. The topography of this State is very much like that of Durango. The banditti in this State have been very active recently, they having approached to about 40 miles south of Torreon, where they have succeeded in cutting the railroad line between here and Mexico City twice within the month.

The consulate does not consider that Torreon is in any immediate danger; and even in the case of an attack it believes that the Americans could be easily transported to points of safety, owing to the many lines of transportation that concentrate at this point. The great danger in Torreon is that any American venturing on the streets at night is subjected to the worst of insults and possible physical harm at the hands of any armed Mexican made bold by a good charge of "tequila." With reference to conditions in Torreon, reference is respectfully made to dispatch No. 85, dated April 27, from this office, and as a result of the Juarez incident it must be said that conditions have been aggravated.

A résumé may be stated in a few words: That the conditions under which Americans are laboring in this consular district are worse than they have been since 1915. The position held by American women at present in this district is respectfully recommended to the department's most earnest consideration.

The average Carrancista, from the grade of major general down, is extremely ignorant and probably more than 95 per cent of the present army are illiterate; and this ignorance is more than equaled by their proverbial cowardice, which is, perhaps, unequalled in the world. This is perhaps better proven by the consistency with which they avoid danger. No Carrancista officer ever thinks of wearing his uniform when traveling, except upon a military train. The present Government claims to have 21,000 men in the State of Chihuahua at present, a greater part of which are to be used against Villa, and the greatest proof of their cowardice is the fact that Villa is still alive and very active and his consistent successes at each and every point at which he strikes. The con-

sulate has had exceptional opportunity to observe the troop movements north since the revival of Villa's activity in the north, and this coupled with other sources of information would tend to show that there are at present only about 9,000 men bearing arms. These forces are composed of very old men and very young boys and are very low in morale. They are not serving in the army from any act of patriotism, but only because their laziness and ignorance bars them from any other line of endeavor in which they might earn an existence. This all points to the fact that no matter what guard may be stationed at any point it would not afford any commensurate degree of safety for Americans that might be resident at that point.

I have the honor to be, sir,

Your obedient servant,

ED LATHROP,

*American Vice Consul in Charge.*

Now, you had no idea that the Government of the United States was receiving such official reports as this when you wrote this letter to the committee, had you?

Mr. SULLIVAN. No, sir; I didn't have any idea of that, Senator. It was only written from this which I got from those that were coming out, some of my friends that were there in business.

The CHAIRMAN. And they are still there?

Mr. SULLIVAN. Yes; they are still there.

The CHAIRMAN. And you find every American who comes out of Mexico, who is doing business in Mexico, is inclined either to suppress the facts, or to put as good face upon it as possible, isn't that your experience?

Mr. SULLIVAN. Of course, naturally a man would want to.

The CHAIRMAN. I hope the committee have not jeopardized the safety of the acting consul, as the safety of one who has recently been jeopardized in Mexico, by giving his official report to the committee. Matters are being possibly expressed on the one hand by the committee and other matters may be exaggerated before the committee; that is our only excuse. Now, Mr. Sullivan, you don't—with reference to de la Barra, you stated that Huerta had been eliminated and de la Barra also eliminated. You don't mean to say that the Government of the United States had anything to do with the elimination of de la Barra?

Mr. SULLIVAN. No.

The CHAIRMAN. Nor aid in the revolution?

Mr. SULLIVAN. No, sir.

The CHAIRMAN. He simply by common consent of Madero and his associates and the other Mexicans, was president ad interim, from the abdication of Diaz until the subsequent election and inauguration of Madero?

Mr. SULLIVAN. Of Madero; yes, sir.

The CHAIRMAN. Now, then, in view of what has been stated to you here, and of your own statements, did you not think that this Government has given Mr. Carranza a fair chance in Mexico?

Mr. SULLIVAN. Well, Senator, you know I would not be in a position to say that right now, I want to be fair about it.

The CHAIRMAN. And positive, of course?

Mr. SULLIVAN. And positive. All my desires in the world was that the stated government as it exists to-day would be given every facility to make good. If they could not make good, then it was time to take action in order to overcome every other trouble and every other delusion—if there was any possibility to get things readjusted.

The CHAIRMAN. Now, you have said that in your judgment Mr. Carranza was a patriotic man and was a man of high ideals?

Mr. SULLIVAN. From all that I ever saw through the papers in regard to his utterances, a man of his age and a man of his experience, and what I have seen, certain statements he made, or written or said in the newspapers, led me to believe Mr. Carranza was a man of a serious nature; a man, I believed—I thought at the time he was a man you could approach if you had a case, if you were unjustly treated, he was a man who would give you every fair consideration.

The CHAIRMAN. Well, do you not think that that character of man would feel some degree of gratitude to the country which had through its expenditure of blood, and at Vera Cruz, through its expenditure of millions of dollars, through its expenditure of a billion and a half in first getting him in and recognizing him in the office he held as President, then keeping him there at an enormous expense to themselves, do you not think a man of the character whom you mentioned would have some little feeling of gratitude to the people of this country, or at least, to the President of this country?

Mr. SULLIVAN. Naturally, I should think so.

The CHAIRMAN. What would you think if you knew that that man was now and had been persistently engaged in the effort in his own country, and particularly throughout other Latin-American countries, persistently engaged in an effort to make those people look with contempt upon the President of the United States, the man who placed him in office?

Mr. SULLIVAN. It doesn't hardly look reasonable.

The CHAIRMAN. Will you accept Mr. Carranza's denial that he had been engaged in such efforts, in the face of the statements of this committee that they have official, accurate, photostatic, photographic copies and originals of Mr. Carranza's letters to that effect?

Mr. SULLIVAN. Well, recognized by Mr. Carranza, you say, himself?

The CHAIRMAN. No, sir; I say, if he denied that we had such evidence, will you accept his denial rather than the statement of this committee that they have in their possession, and the departments of this Government have in their possession, such evidence as I have stated?

Mr. SULLIVAN. Well, I hardly know how to proceed upon that; that is a kind of a complicated question with me.

The CHAIRMAN. Well, that has been a matter of publicity, also, Mr. Sullivan; for example, one of the Mexico City daily papers has within the last 30 days called upon Mr. Carranza to make denials of the authenticity of a letter which I am going to read to you, which is one of the letters along the line that I have discussed with you.

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. In so far as this committee is informed, Mr. Berlanga shrugged his shoulders, and the question was then propounded by the paper directly to Miss Hermila Galindo, to know whether the letter I am going to read to you was authentic. [Reading:]

MEXICO, D. F., June 29, 1919.

MISS HERMILA GALINDO,

*Ignacio Ramirez Street, No. 6, City.*

ESTEEMED YOUNG LADY: It is necessary that your book, *The Carranza Doctrine*, be finished in a short time, since I desire that you immediately proceed

to write a second part of it, for which purpose I shall shortly send you a Blue-book, which we are about to publish, and which will serve to justify the attitude of my Government in its systematic hostility toward foreign speculators, especially Americans and English.

Do not forget my injunction to describe in lively colors the tortuosity of the American policy with relation to our country, causing the figure of Wilson to stand well out as the director of that policy. I also enjoin you to be very careful about the corrections which I have made in the original (manuscript) which you brought me.

I salute you affectionately,

V. CARRANZA.

Do you not think that is an evidence of the proper meaning or feeling from Mr. Carranza to Mr. Wilson?

MR. SULLIVAN. It doesn't hardly seem possible that Carranza would be so indiscreet.

THE CHAIRMAN. Then you would only criticize him for his indiscretion and not for the sentiment he uses?

MR. SULLIVAN. It looks to me impossible for him to be so indiscreet, for him to write an article of that kind, in view of the fact that he would be writing it against a power like ourselves; it would only be a breakfast for our country; you see, of course, Mexico is only a child; it wouldn't be a baby.

THE CHAIRMAN. Then you think there might be some reasonable doubt as to the authenticity?

MR. SULLIVAN. I wouldn't want to state on that.

THE CHAIRMAN. I may say to you, sir, positively, from my own information, that the President of the United States has no doubt of the authenticity of the letter—he has received it—he knows it. I am not going to call your attention at this time to other letters along the line, but I may say to you, sir, that this blue book which Mr. Carranza refers to, is in the possession of the committee, although when transmitting it to Miss Galindo he states it must not go out of her hands, and it is only for very private circulation. That blue book was for anti-American doctrines in so far as to justify his action in all matters, and showing he is the one man in Latin America who stands against the United States Government and dares to offer them only affronts of every character between this Government and his Government. He has successfully pulled the wool over the eyes of the Mexicans. That is the general purpose of it. I may say to you, sir, that this letter is only one of a series, the authenticity of which you, nor no other man could doubt at all, if you are an American; you would be simply taking the bare word of the writer, of the letter, or those receiving it, as against the absolute, uncontrollable record facts.

You left Mexico at the time of the outbreak of the Madero troubles?

MR. SULLIVAN. Yes, sir.

THE CHAIRMAN. You took out what money you could get, sold your stocks and what property you could, and left your real estate and came out?

MR. SULLIVAN. In fact, I left most of it down there. I have got my home here in San Antonio.

THE CHAIRMAN. You left your real estate?

MR. SULLIVAN. Yes, sir.

THE CHAIRMAN. You state you made money there, and sold your stocks and other property, sold all but your real estate?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. You left that there?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. You came out with the balance?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. You haven't returned to live there since that?

Mr. SULLIVAN. No, sir.

The CHAIRMAN. Do you know the Mexican Consul here?

Mr. SULLIVAN. I called on him in July or August at the time I wrote this thing, to ask him for certain information in regard to it.

The CHAIRMAN. You haven't seen him since?

Mr. SULLIVAN. I saw him a few days ago, I called on him again.

The CHAIRMAN. Just a very few days ago?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. Did you have a conversation with him at that time with reference to what this committee was doing?

Mr. SULLIVAN. No, sir.

The CHAIRMAN. Didn't mention the committee, or the effect of the committee's work?

Mr. SULLIVAN. No, sir.

The CHAIRMAN. Did he mention to you at that time his impression that this committee was attempting to suppress facts with reference to Mexico in its investigation?

Mr. SULLIVAN. No, sir; he didn't. Senator; he never even mentioned the committee. When I called on him some days ago it was in connection with this earthquake in Vera Cruz, oh, several days after the earthquake took place. There didn't seem to be any action, and I thought it was a sort of a humane act to make contributions to those more unfortunate down there, and I called upon him and asked him what his opinion was, and he said it was all right, and he said in his official capacity he couldn't take any action.

The CHAIRMAN. You had then no conversation with him in which either you or he or any of his employees or anyone else in the presence of the two of you mentioned or discussed the fact that the San Antonio Express, and the San Antonio Light, or the San Antonio papers here might be interested in their publication of news by the activities of this committee in any way?

Mr. SULLIVAN. No, sir; never mentioned anything like that whatever at all.

The CHAIRMAN. Now, you say that Mexico, in your judgment, could repay the United States any amount of money, reasonable amount, which we might advance to Mexico for her financial recuperation?

Mr. SULLIVAN. In this way, I say that under the—through the constituted government of that country, and through the federal rights, through their federal mineral rights, as per their constitution, I understand the old constitution and the new—they could give a guarantee for the redemption of the money they would borrow.

The CHAIRMAN. Yes, sir; about how much guarantee do you think they could give?

Mr. SULLIVAN. Well, it would all depend, of course, upon the natural resources of the country, just as you might—

The CHAIRMAN. You must have, in view of this statement, you must have some idea of the national debt which Mexico could assume

and upon which it could pay interest, and for the final repayment of which it could use a sinking fund out of which it could be paid.

Mr. SULLIVAN. It possibly could, but other than what I would figure—I was under the impression that \$500,000,000 would be amply sufficient to cover the requirements to do the work that could be done, if it was done.

The CHAIRMAN. Do you think that would be about the amount Mexico could reasonably assume and pay?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. Do you happen to know what the present external debt of Mexico is?

Mr. SULLIVAN. No; I couldn't say; I think it is about five or six hundred millions, maybe seven hundred millions.

The CHAIRMAN. Then, she is about up to her limit, isn't she, without five hundred millions additional?

Mr. SULLIVAN. I am figuring upon the natural resources over and above that, what the indemnities would be to persons——

The CHAIRMAN. I am not referring to indemnities at all; I have not mentioned indemnities.

Mr. SULLIVAN. Oh, I thought you were referring to that; that is what I was determining my estimate on—was about five hundred millions over her present obligations.

The CHAIRMAN. Five hundred millions in addition?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. Then, you would say, in your judgment, Mexico could assume and discharge an indebtedness of over a billion dollars?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. You haven't read the hearings before this committee, have you, as they have been printed and sent out?

Mr. SULLIVAN. No, sir.

The CHAIRMAN. You have never had your attention called to the testimony of Mr. Lill, who was the financial expert, testifying that he went to Mexico and audited the books and established a system of auditing which has been in force up to a short time since—went there from the United States for that purpose?

Mr. SULLIVAN. For the Government there?

The CHAIRMAN. Yes, sir.

Mr. SULLIVAN. No, sir; I have not. I did see a short time ago—about a week or 10 days ago I saw in the evening paper here. I believe, there was some auditor sent from Washington, or some place in the country, was down in Mexico.

The CHAIRMAN. You didn't read his testimony?

Mr. SULLIVAN. I didn't read it.

The CHAIRMAN. You might secure it easily enough by writing to Washington, a copy of all of these hearings, including a copy of Mr. Lill's testimony upon that subject.

Mr. SULLIVAN. Who could I get that from?

The CHAIRMAN. By sending to my office at Washington, D. C.

Mr. SULLIVAN. No; the only thing was I say, was simply to try to give everybody a square deal, those who have suffered and everybody else.

The CHAIRMAN. Presuming, of course, as we do, that your statement is entirely correct, upon what do you found, upon what information do you found your assertion, as contained in this letter, of certain

special interests in the United States seeking to bring about armed intervention and war with Mexico?

Mr. SULLIVAN. That was from the general talk among what you hear on the street, from Mexicans and Americans and everybody alike, the prevailing impression was that it was the oil interests, the Tampico oil interests, it was desirous to fetch about a condition there of intervention in order to eliminate a great amount of their taxes, I presume, or to get control of more territory, under the general assumption that the oil companies were the ones that were agitating the intervention question.

The CHAIRMAN. You state that is your information upon that subject, was from street talk?

Mr. SULLIVAN. Yes, sir; it is generally.

The CHAIRMAN. In your letter to the Committee on Rules you set out the fact, "I have seen some agitation started for some interests in the United States, and that your honorable committee is now making an investigation in reference thereto, in regard to conditions in Mexico." Then you go on to speak of special interests who desire intervention in Mexico. Now, it is just upon such information that you base your statement?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. And nothing else?

Mr. SULLIVAN. Nothing else.

The CHAIRMAN. I want to say to you, Mr. Sullivan, the committee expect to leave here to-night. We proceed to El Paso, where we will stop and resume our hearings within three or four days; that we expect to proceed from El Paso to other points along the international border before returning to Washington.

The committee will be under everlasting obligations to you if you will furnish them with any information of any kind, not street talk, but any possible information which may lead to any special interests or interest of any kind, oil or otherwise, who are agitating or seeking to have the people of the United States to intervene with armed force in Mexico for their special benefit. Now, you can reach us at any time, and if we have departed from the border, you can reach us at any time in Washington, and if you can get any such information as that I assure you it will be welcome and treated with exactly the same respect and in exactly the same way as any information to the contrary.

Mr. SULLIVAN. Well, anything that I can possibly find I shall be only too pleased to advise you at your office in Washington.

The CHAIRMAN. I want to ask you, having heard read the instructions under which this committee is acting, residing in San Antonio, having obtained the knowledge in Mexico which you have obtained during the last 12 years, from reading the papers, presumably having read the reports, the papers containing the activities of this committee, do you think that the committee is exceeding in any way its authority?

Mr. SULLIVAN. No, no, no; I think the committee, as a committee, is along legitimate lines.

The CHAIRMAN. Do you think the committee is proceeding along the lines—along proper lines; have you heard of the committee attempting to suppress or refusing any testimony which has been offered?



Mr. SULLIVAN. No; none whatever.

The CHAIRMAN. Do you think that the committee has displayed any prejudice or bias in its hearings in any way?

Mr. SULLIVAN. Not with me they have not.

The CHAIRMAN. Have you—

Mr. SULLIVAN (interrupting). Not with anybody.

The CHAIRMAN. Do you gather from the press that the committee has been proceeding fairly and impartially under their instructions?

Mr. SULLIVAN. No, sir; that is all right.

Senator SMITH. There is a question or two that I want to ask. I am speaking now from knowledge. Do you know of any act of our Government at any time or place that was calculated to be or was in aid of any rebellion against the Carranza Government?

Mr. SULLIVAN. No; I could not say that, Senator. I haven't—as I just stated to Senator Fall—I have no knowledge whether the Government has done anything like that whatsoever.

Senator SMITH. Do you know of any particular case where the Government of the United States has failed to aid the Carranza Government in establishing and maintaining law and order?

Mr. SULLIVAN. No; I couldn't say that I know of any case where they have failed to do it; I couldn't say that. My contention was in regard to using greater effort in order to overcome the smuggling of ammunition across.

Senator SMITH. Do you know whether or not steps have been taken by the Carranza government to forfeit these oil properties of which you speak, and the many of the American landed estates in the Republic of Mexico?

Mr. SULLIVAN. To forfeit those properties, you say?

Senator SMITH. Yes.

Mr. SULLIVAN. No; I could not say that I do. The only thing I saw in the papers was in regard to—the dispute seemed to always range along the question of taxation.

Senator SMITH. I don't care so much about the papers now; I am trying to get away from the reports of the newspapers, down to what you actually know. Do you know whether or not the Carranza government has issued certain orders under what they call article 27, and under the constitution it is tantamount to the absolute forfeiture of these American estates.

Mr. SULLIVAN. I saw something in print the other day; I believe was the first time I ever saw it.

Senator SMITH. Then, you knew of none of these acts after the action of our Government toward Mexico; you knew of none of the acts to which I have alluded on the part of Mexico showing any animosity against the United States, its citizens, or the purpose to confiscate the properties of American citizens?

Mr. SULLIVAN. I didn't catch that, quite, Senator.

Senator SMITH. Read it, Mr. Stenographer.

(Thereupon the reporter read the question, as follows:)

Senator SMITH. Then, you knew of none of these acts after the action of our Government toward Mexico; you knew of none of the acts to which I have alluded on the part of Mexico showing any animosity against the United States, its citizens, or the purpose to confiscate the properties of American citizens?

Mr. SULLIVAN. I have no knowledge, no official knowledge, of any attitude whatever.

Senator SMITH. That will do.

The CHAIRMAN. Just one other question touching your impression as to Mr. Carranza. I presume from your statement as to your judgment as to his high idealistic character and patriotic motives you believe that he led the revolution against Huerta purely from such motives?

Mr. SULLIVAN. Yes, sir.

The CHAIRMAN. You have not had your attention called to an official report as to his attitude, made on February 21, to the Department of State of the United States Government—made on the 21st day of February, 1913, by the official representative of the United States Government in Mexico, from Saltillo, to the Department of State with reference to his attitude toward Huerta?

Mr. SULLIVAN. Only what I saw in print in the last couple of weeks, that he was put in to get the recognition of the Huerta government, I believe; something to that effect.

The CHAIRMAN. Did you see what purported to be a copy of the telegram which I will now read to you, dated Saltillo, February 21, 1913; marked "Received February 22, 1.22 p. m.":

FEBRUARY 21—1 P. M.

SECRETARY OF STATE,

*Washington, D. C.:*

Gov. Carranza has just announced to me officially that he will conform with the new administration at Mexico City. All opposition here abandoned. Railroads will be opened at once. Perfect quiet prevails. Embassy advised.

HOLLAND.

Mr. SULLIVAN. Mexico City?

The CHAIRMAN. No, sir; it is from Saltillo, where Mr. Carranza was at that time.

Mr. SULLIVAN. He was then governor of Coahuila, was he?

The CHAIRMAN. I just asked if you had had your attention called to this telegram in official report to the Department of State?

Mr. SULLIVAN. No, sir.

The CHAIRMAN. You have not had your attention called to a telegram, the original of which I have a copy; duplicate copy of which is in the possession of the committee; the translation of which reads as follows:

MARCH 1, 1913.

Received in Saltillo from Gov. V. Carranza. You are directed to advise us for what purpose you took 50,000 pesos from the bank, in view of the fact that this Government is not informed of this matter.

VICTORIANO HUERTA.

SALTILLO, February 22.

Mr. SULLIVAN. In Saltillo?

The CHAIRMAN. I want to ask whether, in view of these telegrams and the authenticity of these telegrams, whether you might not judge that the telegram of March 1 from Victoriano Huerta, calling Carranza to account for the 50,000 pesos which he took from the bank, possibly influenced him in adopting a different course from that which he assumed to the officials of the United States, from that which he had announced he would adopt?

Mr. SULLIVAN. Well, I don't know.

The CHAIRMAN. That is all.

**TESTIMONY OF H. J. WALLIS.**

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

The CHAIRMAN. Of what State are you a native, Mr. Wallis?

Mr. WALLIS. Texas.

The CHAIRMAN. Texas?

Mr. WALLIS. Yes, sir.

The CHAIRMAN. Where were you in 1915?

Mr. WALLIS. I was on the train going to Brownsville.

The CHAIRMAN. And about what was the date of that trip of yours?

Mr. WALLIS. On the 18th day of October.

The CHAIRMAN. Did you recognize anyone else on the train at that time, Mr. Wallis?

Mr. WALLIS. Yes, sir.

The CHAIRMAN. Who were on the train with you?

Mr. WALLIS. A drummer by the name of Wright and John Kleiber, district attorney and Dr. McCain, and there were some more on there, but I can not recall their names that I know of.

The CHAIRMAN. Any soldiers there?

Mr. WALLIS. Yes, sir; three soldiers possibly; I heard their names since, but I did not know them personally at the time.

The CHAIRMAN. What, if anything, out of the ordinary, occurred on that train at that time?

Mr. WALLIS. Why, the bandits held it up and wrecked the engine, came in and robbed the passengers and killed some of them, killed Dr. McCain and a soldier, and the engineer was killed by the engine, and several wounded.

The CHAIRMAN. Anything happen to you?

Mr. WALLIS. Yes, sir.

The CHAIRMAN. What?

Mr. WALLIS. I was shot. I was hit five times.

The CHAIRMAN. Have you any evidences of your wounds now?

Mr. WALLIS. Yes, sir.

The CHAIRMAN. What are they?

Mr. WALLIS. They shot one finger off here, broke my arm up here. shot me across this finger here, just a little flesh wound here where the bullet went across. He shot me twice in the leg.

The CHAIRMAN. The principal injury was in your left arm?

Mr. WALLIS. Yes, sir; you see I can't use it hardly.

The CHAIRMAN. Is the condition of it such now that it is practically useless to you?

Mr. WALLIS. Yes, sir.

The CHAIRMAN. Where were you when you were shot?

Mr. WALLIS. When the first shots were fired, when the Mexicans came in and peeped in the door, I didn't see the Mexicans come to the door when the train stopped, and he came in, and he would jerk his head back again, and I was standing right straight in the aisle with this hand up on the seat [indicating] and this hand down by my side [indicating]. About the first shot that was fired when they came in, they hit this finger.

The CHAIRMAN. That was your left finger?

Mr. WALLIS. That was my left hand; yes, sir. Then three more fellows came in behind that fellow that rushed in the car; then they went to shooting, and two more fellows went to shooting at me, and one bullet went across this finger.

The CHAIRMAN. That was the middle right finger?

Mr. WALLIS. Yes, sir.

The CHAIRMAN. Were you armed?

Mr. WALLIS. No, sir.

The CHAIRMAN. Did you make any demonstration toward defending yourself in any way?

Mr. WALLIS. No, sir; I just asked the second fellow, I says, "Don't do this." I says, "we are friends, we have been friends." He was a Mexican that I knew.

The CHAIRMAN. You knew him.

Mr. WALLIS. Yes, sir. And he didn't pay any attention to me, and he hollered to the first fellow that was in front of him to look out for the soldiers. I fell down—then they shot this other fellow. There was two more fellows behind him, and they shot at me, and hit me in the leg.

The CHAIRMAN. That was your right leg?

Mr. WALLIS. Yes, sir.

The CHAIRMAN. And you fell?

Mr. WALLIS. I fell and they went on over me. I laid down in the aisle and they went right on over me shooting at the soldier boys. A soldier was down on his knees in the aisle. As I looked back he had both hands up this way, and I saw him fall over.

The CHAIRMAN. Was this soldier armed?

Mr. WALLIS. No, sir.

The CHAIRMAN. Had neither rifle or side arms?

Mr. WALLIS. No, sir.

The CHAIRMAN. Were either of the other soldiers armed?

Mr. WALLIS. No, sir.

The CHAIRMAN. Did you see Dr. McCain?

Mr. WALLIS. Yes, sir; Dr. McCain and I was sitting together at first, and Dr. McCain got up and, I guess, went to the toilet, and when they went over me I jumped up and opened the door and gets into the toilet with him.

The CHAIRMAN. That was after you had been shot three or four times?

Mr. WALLIS. Yes, sir; this finger was shot off and this shot across here [indicating], and shot twice in the leg. And after they got through ransacking the train, I could hear them, in Spanish, you know, throwing the grips out and talking to themselves out there. They came back and knocked on this door, they had the door shut, and there was a Mexican boy in there standing upon the lavatory, and as he knocked again the door kind of opened, and there was a light shown in there on this Mexican and they saw this boy on the lavatory, he couldn't see Dr. McCain and myself, and he reached up and catches this Mexican boy in the collar, and says, "What are you doing?" He said, "I am a Mexican; I am a friend of yours." He says, "Well, what are you afraid of?" He says, "We are not looking for anybody but the Gringos, the Americans," and the boy was scared, he was down on his knees then, and he says,

"Well, there is two behind the door." And I slammed the door to, and put the latch on with my right hand. Then he hit it again with the gun barrel and he couldn't knock it open. He fired two shots through the door, one hit Dr. McCain in the stomach and one hit me in the arm and broke my arm.

The CHAIRMAN. After robbing the train and doing this killing, wounding you and others, they left?

Mr. WALLIS. Yes, sir.

The CHAIRMAN. I think that is all, Mr. Wallis. Very much obliged to you.

The committee understand that this is all of the evidence which will be taken at the present hearing. Therefore the committee will take an adjournment subject to the call of the Chair.

(Thereupon, at 3.50 o'clock p. m. the committee adjourned to meet at the call of the chairman.)

# INVESTIGATION OF MEXICAN AFFAIRS

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*Dup*  
**HEARING**

BEFORE A

**SUBCOMMITTEE OF THE  
COMMITTEE ON FOREIGN RELATIONS  
UNITED STATES SENATE**

**SIXTY-SIXTH CONGRESS.**

**SECOND SESSION**

PURSUANT TO

**S. Res. 106**

**DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO  
INVESTIGATE THE MATTER OF OUTRAGES ON CITIZENS  
OF THE UNITED STATES IN MEXICO**

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**PART 9**

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# INVESTIGATION OF MEXICAN AFFAIRS.

WEDNESDAY, JANUARY 14, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE ON FOREIGN RELATIONS,  
*Washington, D. C.*

Testimony taken at Washington, D. C., January 14, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

## TESTIMONY OF EDWARD FIELD HARVEY.

(The witness was sworn.)

Mr. KEARFUL. Will you please give your full name?

Mr. HARVEY. Edward Field Harvey.

Mr. KEARFUL. What is your place of residence?

Mr. HARVEY. My temporary residence in the United States is Philadelphia.

Mr. KEARFUL. What is your address in Philadelphia?

Mr. HARVEY. Susquehanna Road, Abington, Pa.

Mr. KEARFUL. What is your citizenship?

Mr. HARVEY. I am a Newfoundlander; I am a British subject, born in Newfoundland, and residing on this side of the Atlantic.

Mr. KEARFUL. What opportunities have you had to study conditions in Mexico?

Mr. HARVEY. During the last 12 years I have spent about five years in Mexico, divided fairly evenly throughout the 12 years. The longest period I spent in Mexico was one year; the shortest period about three months.

Mr. KEARFUL. In what business were you engaged in Mexico?

Mr. HARVEY. My first interest in Mexico was in mining. That was in 1908 and 1909. I dropped that and went into plantation and lumber business and railroad building in the tropical country; in the State of Campeche.

Mr. KEARFUL. What is the name of the company with which you are connected?

Mr. HARVEY. The Laguna Corporation, of Delaware.

Mr. KEARFUL. And what was the business of this company?

Mr. HARVEY. The business was the production of mahogany, chicle gum, rubber, cattle, and to some extent colonization.

Mr. KEARFUL. How many acres of land did this company have?

Mr. HARVEY. Approximately 650,000.

Mr. KEARFUL. About how many square miles would that be?

Mr. HARVEY. It is very nearly a thousand square miles; just about a thousand miles.



Mr. KEARFUL. How was this land held? By what sort of title?

Mr. HARVEY. It was purchased for cash from various owners, original titleholders who had come by their titles mainly through heredity, I think; at least some of our titles dated back to the original grants of land.

Mr. KEARFUL. Did the company hold absolute fee simple title?

Mr. HARVEY. Absolute fee simple, and the titles were all registered in Mexico. We have a carefully arranged schedule of titles.

Mr. KEARFUL. Have you had occasion to observe the conditions existing under the different governments of Porfirio Diaz, Francisco Madero, Victoriano Huerta and Venustiano Carranza?

Mr. HARVEY. I think I have.

Mr. KEARFUL. How did you find conditions of the country as to economical and industrial situation in the time of Porfirio Diaz?

Mr. HARVEY. Industrially the country was growing very rapidly, developing very rapidly. At the time that I was in Mexico it seemed that a very large industrial boom was beginning and there was a great deal of new capital coming in. There was an undercurrent of lack of confidence through the age of Porfirio Diaz and the knowledge that he was becoming rather weak. And the question was frequently asked what would happen after Diaz passed away, and it was expected that he would die; that he would not be driven out.

Mr. KEARFUL. What was the attitude of the Mexicans toward Americans and other foreigners during that time?

Mr. HARVEY. Very favorable indeed. I think there was a great deal of respect and liking. What I saw of the relations were always pleasant. There was a good deal of friendship and good feeling. I heard at times of local jealousies and dislikes, but they never broke out at all, never showed themselves; and as far as my personal knowledge went I never saw anything that was not perfectly satisfactory. Sometimes Americans made themselves unpopular by being too aggressive. Mexicans do not like aggressiveness in their relations with other people. They like to conduct their business quietly. But otherwise everything was very satisfactory.

Mr. KEARFUL. You mean aggressive in their business methods?

Mr. HARVEY. Yes; their business methods, and especially in their attitude toward the Mexican workman, that he did not do work enough; that he was slow and was not able to do the work they would expect Americans to do. On the other hand, there were a great many men, probably a large number of men, who understood the Mexicans, and who did not criticize them to that extent. But when that situation did arise it caused a good deal of bad feeling.

Mr. KEARFUL. I suppose you have heard, as we have often, that the Americans and other foreigners are not entitled to consideration on account of injuries they have suffered in Mexico because they were engaged in exploiting the Mexican people to their own benefit and to the detriment of those people. What do you say about that?

Mr. HARVEY. Well, to be frank, I should say it was nonsense.

Mr. KEARFUL. What did you observe as to the effect upon Mexican people of the operations of foreign enterprise?

Mr. HARVEY. With the exception of some promotion projects which were in themselves unsound the general effect of American enterprise was to immensely improve the condition of the working people.

Mr. KEARFUL. In what way did it improve their condition?

Mr. HARVEY. Well, it tended to draw them away from the agricultural pursuits when they were working with their old Spanish and Mexican taskmasters, who kept them in a state of peonage and debt, and placed them in a position to earn wages which were paid them in cash and enabled them to realize the value of money and to expend their money and gave them that independence which regular wages always will give.

Mr. KEARFUL. And did this enable them to escape the system of peonage?

Mr. HARVEY. It did, and very large numbers escaped. In fact, peonage was not very rife except in the strictly agricultural districts. In the mining districts there was no peonage practically; in the municipalities there was practically no peonage; and in the industrial sections, cotton districts, there was no peonage. In my own case, when I first went to Mexico we had some peonage, but the first thing we did was to educate our people out of it. Many of them did not want to get out of it. They had inherited the idea of peonage and wanted to remain, but in the course of five or six years we had practically eliminated peonage. At the time Madero made his proclamation eliminating peonage we practically had none in our district at all.

Mr. KEARFUL. Do you remember about how many workmen you had employed in your enterprises at that time?

Mr. HARVEY. We employed about 800. We had about 1,500 population altogether on our property. Our average was about 800 men.

Mr. KEARFUL. You say that the attitude of the Mexicans toward American operators was favorable during the time of Diaz. Did that continue through the régime of Madero?

Mr. HARVEY. That continued through the régime of Madero and in the early stages of the Madero Government there was a distinct effort made to eliminate some of the abuses that existed under the Diaz régime. There was a tendency to very arbitrary control of certain public utilities during the Diaz régime which Madero certainly made an effort to eliminate and I think did eliminate. I know in one or two cases where I myself had occasion to protest against arbitrary rulings from Mexico City. After Madero came to power a fair point of view was adopted and we got a better ruling.

Mr. KEARFUL. What was the condition in the time of Huerta?

Mr. HARVEY. Practically the same attitude, as far as the liberal policy was concerned, was carried on by Huerta, which was initiated by Madero.

Mr. KEARFUL. When did this attitude change, if you noticed the change?

Mr. HARVEY. I can not say that the attitude did change. There was a change of friendliness toward foreigners.

Mr. KEARFUL. That is what I mean.

Mr. HARVEY. That began with the—or, the first sign of that was at the time of the occupation of Vera Cruz. That was the first outbreak.

Mr. KEARFUL. What, if any, effect did the general policy of the American administration in Mexican affairs have upon the attitude of Mexicans toward Americans?

Mr. HARVEY. During the time that Mr. Henry Lane Wilson was ambassador there the attitude was all that could be desired. There was a great deal of confidence felt by Mexicans in Mr. Wilson's steadying influence over the new Mexican administration, and I recall very distinctly the confidence that was felt at the time Huerta first accepted the presidency at the hands of the Mexican Congress. He was at the time, I think, not widely accused of Madero's death, and I never did think he had a great deal to do with it. I have reasons for believing that he did not have a great deal to do with that. But even if he had, it was more or less natural under existing conditions in Mexico that he had been brought up under. But he made a very striking address at the time he accepted the presidency before the Mexican Congress, which had been elected as a Congress under Madero, in which he gave his promise that he would call a general election as soon as the country had been pacified, and he called upon every member of that Congress to assist him in bringing about that condition. He stated categorically his own lack of confidence in his ability as a diplomat and statesman, and he asked to be relieved as soon as possible, and it was after that that he was unable to carry those policies out, owing to lack of support. I think, from outside, principally the United States, although all the foreign elements of all nationalities and all the educated Mexicans, as far as I have been able to find out, supported him very strongly.

Mr. KEARFUL. How about the diplomatic corps in Mexico City?

Mr. HARVEY. I understand that they were absolutely unanimously behind him and behind Henry Lane Wilson, and it was realized that Henry Lane Wilson had a very strong influence over Huerta. I also had opportunity of gauging that, and my contention is that had that combination remained in existence neither the Vera Cruz intervention or any of the subsequent horrible occurrences in Mexico would have occurred. I think Mexico would have been tied to the United States in bonds of friendship, and I think Mexico itself would have risen out of its trouble to a comparative state of civilization and sound democratic government.

Mr. KEARFUL. To what do you principally attribute the failure of Huerta to pacify the country?

Mr. HARVEY. Absolutely nonsupport by the United States and a rather antagonistic policy to him and the withdrawal of Henry Lane Wilson.

Mr. KEARFUL. You say nonsupport. Do you not mean interference?

Mr. HARVEY. And interference. And, of course, there was a great deal of what one might call personal baiting of Huerta which acted upon his temper very disadvantageously, and when Henry Lane Wilson's steadying influence was withdrawn the old man just got sulky and it was not possible to do anything with him; purely a natural and logical effect that would happen to any human being, I think, under the circumstances.

Mr. KEARFUL. To what do you principally attribute the success of the Carranza revolution?

Mr. HARVEY. The support of the United States and the antagonism that was shown to Huerta. That was the cause of his downfall. There is not any question about that.

**Mr. KEARFUL.** What was the general feeling in Mexico at the time of the downfall of Madero and the accession of Huerta as to confidence in the pacification of the country and the permanency of the Government?

**Mr. HARVEY.** As far as I was able to catch the feeling toward the end of the Madero régime, amongst people outside of Mexico City, it was that Madero, as a practical administrator, was a complete failure and that some strong man would have to take his place; and it was only a question of time when someone would eliminate Madero. Then came the revolt of Felix Diaz at a time when Huerta was on leave in Mexico City, resting from his campaigns in the north, where he had been attempting to pacify the northern revolutionists for Madero. That condition in Mexico City was so terrible that he was approached by the best Mexicans and also by the best elements of the foreigners and asked to do something to put a stop to the trouble, and virtually he was, I think—I can say with certainty that it was not his own idea to do what he did in eliminating Madero, but it was forced upon him by the conditions in Mexico City, and at the request of those prominent foreigners and Mexicans who felt that some strong action must be taken, and he took the step of arresting Madero.

**Mr. KEARFUL.** What was the condition as to the security of life and property and business enterprises up to the time of the beginning of the Carranza revolution?

**Mr. HARVEY.** Up to the time of the Vera Cruz intervention everything was perfectly satisfactory. In fact, it was better during the six or seven months prior to that Vera Cruz occupation than it had been at any time before; but after that things got very uncomfortable for everybody, and for a time it was absolutely unsafe, because the Americans all had to leave. Then it quieted down again and while the antagonism which was aroused by that act never did disappear, conditions were tolerable for most of those whom I came in contact with until the Columbus raid, when a similar condition again occurred.

**Mr. KEARFUL.** What has been the condition from the time of the occupation of Vera Cruz to now?

**Mr. HARVEY.** Well, it has fluctuated. There were times when there seemed to be diplomatic tension, such as might occur through some of the troubles in the Tampico oil fields, and conditions got very unsafe. Foreigners, Americans especially, felt themselves extremely unsafe; I know I did. I was through a great deal of that and there were weeks at a time when I could not tell whether some mob would not get hold of me and stick me up against the wall and shoot me.

**Mr. KEARFUL.** Have conditions improved?

**Mr. HARVEY.** After that then things would quiet down again; things would get less tense and we would be able to continue; but it was a slow process of disintegration which made business thoroughly impossible. At the same time that this was going on the value of the currency was being practically destroyed by indiscriminate issues of paper currency without any security behind them, and that tended to unrest, of course.

**Mr. KEARFUL.** Have the conditions as to security for life and property improved or grown worse from that time to now?

Mr. HARVEY. From my knowledge, and judging from my personal interests in Mexico, I think they have grown very much worse steadily.

Mr. KEARFUL. How is that illustrated with reference to the property interests of your company?

Mr. HARVEY. Well, it is virtually impossible now to maintain a reliable commercial organization with Americans at the head of it in Mexico, and we, none of us, feel it safe to attempt any large operations because of the danger of the antagonism that has been aroused in Mexico toward our people and the fact that at any moment that may burst into flame and cause serious trouble.

Mr. KEARFUL. Have you observed any depredations or destruction of property?

Mr. HARVEY. I have seen, in traveling through the parts of Mexico that I have been in, a good deal of destruction of property and also cases of destruction of human beings as well, but I won't say that I could distinguish between the destruction of foreign property and the destruction of Mexican property. It has been rather indiscriminate in that respect.

Mr. KEARFUL. Speaking generally of property?

Mr. HARVEY. Yes; speaking generally of property. As far as our own interests are concerned we have been very well treated by Mexicans always, by all classes. I have a very great liking and a very great respect for the average Mexican. It is the lawless minority and the overambitious minority that is causing all this trouble.

Mr. KEARFUL. You say minority. What percentage of the entire population?

Mr. HARVEY. That is a difficult question to answer, but if there are half a million people who are actually destructive in Mexico it is as many as there are out of a population of 15,000,000.

Mr. KEARFUL. You say that you have been well treated by all factions of the Mexicans. Has that been to such an extent that you are able to continue with the projects that you had formed in the time of Porfirio Diaz?

Mr. HARVEY. No; because financial and commercial conditions and the Government control is not sufficiently sound in Mexico to warrant anything of that sort, and nobody can go to Mexico today without feeling that they are taking a risk, because however friendly you may be with the bulk of Mexicans every man has some enemies and it usually happens that those enemies are the people who have the capacity for doing the most harm.

Mr. KEARFUL. At the present time and for some years past your company has been able to go forward with its projects; has it?

Mr. HARVEY. No; just marking time; maintaining a small organization and marking time.

Mr. KEARFUL. Notwithstanding you have been treated especially well, your company has suffered injuries for which it has made a claim?

Mr. HARVEY. Yes.

Mr. KEARFUL. To what amount?

Mr. HARVEY. To an amount in actual physical loss—the only claim has been \$10,000 gold, but, of course, if one estimates the gross loss extending over a period of years through the destruction of business and the deterioration of property it would be 20 or 30 times that

amount. But the only claim we made was for actual loss through military movements on our property which took place in 1915.

Mr. KEARFUL. What is the general feeling in Mexico, as you observed it, among Mexicans as to the possibility of the problem being worked out under present conditions by themselves?

Mr. HARVEY. I have absolutely no confidence that the Mexicans as they stand to-day can work the problem out without some outside assistance.

Mr. KEARFUL. What have you found to be the opinions of the intelligent, educated, high-class Mexicans on that subject?

Mr. HARVEY. I have found that a very great many of those whom I have personally talked with hold the same opinion that I do. A great many others feel that they can not face—their national pride will not permit them to face—accepting assistance from outside, and then others are entirely irreconcilable and state that they can and will work out their own salvation.

Mr. KEARFUL. Do you not believe that the pride of those who can not reconcile themselves to outside assistance influences what they may say on the subject?

Mr. HARVEY. That may be; I think that may be. I think that in the event of modified intervention of some sort being undertaken the large majority of Mexicans would very soon accept the inevitable and feel that it was the best thing for the country, provided they were absolutely convinced of the sincerity of the United States in endeavoring to help them and in her determination to retire as soon as sound government was established.

Mr. KEARFUL. What do they say with respect to the course of the United States during the last few years as affecting the question of the sincerity of the United States to assist them?

Mr. HARVEY. That is a question I would find it very difficult to answer. I think that the feelings and opinions of the Mexicans on that would be very much divided, very conglomerate, indeed. But I doubt whether—I think that the effect of the policy has been to create in the minds of a very great many Mexicans a contempt, which they did not feel before, for the United States, for they doubtless had a very sincere respect for the United States, and to-day, while there may be a fear of the United States, there is very little respect felt for the United States in Mexico.

Mr. KEARFUL. Do you think the course pursued by the United States has created doubts in their minds as to our sincerity?

Mr. HARVEY. I think it has created great doubts in their minds as to the sincerity of the policy of the United States toward regenerating Mexico. I think that they think the United States is afraid to tackle the problem in the first place, and yet is anxious to get control of Mexico in the second. I think that would be one of the great difficulties to overcome, that feeling that I have just expressed which has sprung up in the last three years.

Mr. KEARFUL. What do you regard as the first essential element in the reestablishment of stable government and the permanent security of Mexico?

Mr. HARVEY. I feel that the Mexican Government should be given the opportunity to refund and make good the claims by foreign powers, including the United States, of course; but that a definite

time limit should be put upon that opportunity and if that opportunity is not satisfactorily availed of steps should be taken to blockade Mexico, to occupy Mexico City, without a military campaign throughout the country, but merely a limited expeditionary force to open communication with Vera Cruz and establish sound conditions in Mexico City, where the Mexicans of every shade of opinion can return with absolute confidence and safety.

Mr. KEARFUL. Do you believe that under such conditions the better class of Mexicans would cooperate with the United States in establishing a stable government throughout Mexico?

Mr. HARVEY. I feel sure that a very large number of them would, and I feel sure that the number would constantly increase as evidence of the sincerity of the United States in its policy was established. Of course, the first step after Mexico City would be occupied by the United States troops would be to assemble a constitutional convention. The Congress elected under the Madero régime might be called together, and it might be put up to them to select a leader—select a provisional President and, with the help of American departmental officers, a financial agent and authorities on education—help them to reorganize their Government and to make it impossible for any disgruntled or dissatisfied elements to break away and start hostilities, which has been the bane of all Mexican efforts to get together politically and agree upon a definite policy for the country.

Mr. KEARFUL. Have you an idea that the main thing toward the pacification of Mexico would be to eliminate the possibility of the success of a revolutionary movement?

Mr. HARVEY. I do not quite understand that question.

Mr. KEARFUL. Is it your idea that the main thing would be to eliminate the possibility of revolutions?

Mr. HARVEY. The main thing is to convince everybody that there is no use starting sporadic revolutions.

Mr. KEARFUL. That is, that such revolutions would never get anywhere?

Mr. HARVEY. Exactly. That is the first thing to do.

Mr. KEARFUL. How large a force would you think would be necessary to carry out such a project?

Mr. HARVEY. Judging from previous campaigns in Mexico and the knowledge that has been gained by the United States in the European war, a thoroughly well-equipped column of 25,000 men, acting as a sort of arrowhead, should be sufficient to reach Mexico City with very little serious loss, providing it was fully supported by railroad units and sufficient troops to guard the railroad and keep communication open with Vera Cruz. The only part of Mexico that should be touched by a foreign military power should be Mexico City and the Vera Cruz railroad and the blockading of the ports and the closing of the Mexican border.

Mr. KEARFUL. Do you think that the accomplishment of such a plan would be more difficult now than it would have been at the time of the occupation of Vera Cruz?

Mr. HARVEY. Very much more so, because, I think, Mexican opinion is more bitter than it was then. On the other hand, the United States is far better equipped to undertake such an enterprise, and Mexico herself is very much less well equipped to oppose it.

Mr. KEARFUL. Do you think that the accomplishment of such a plan will become easier as time goes on, or more difficult?

Mr. HARVEY. I do not think from a military standpoint it would probably be more difficult, unless some foreign power was able to bring sufficient influence to bear in Mexico to organize a stronger opposition; but I think that the cost and expense of regenerating Mexico and the difficulty of doing so, and assuring the United States of a satisfactory independent neighbor would be very much increased by allowing matters to drag along.

Mr. KEARFUL. What do you say as to the increasing hostility or friendship of the Mexicans toward the United States as time goes on?

Mr. HARVEY. I think the hostility will go on increasing, and I do not like to use the word contempt, but I am afraid there is a great deal of contempt mixed up with the hostility, due to the fact that the United States has not insisted upon proper respect being paid to her diplomatic exchanges with the Mexican Government.

Mr. KEARFUL. Is it not a necessary element in the beginning of such a plan that the Mexican Government should be able to obtain foreign loans of money?

Mr. HARVEY. The first essential, after some definite action was taken toward establishing a firm government in Mexico City, of course, would be to organize the finances of the country, so they could pay back such advances as would have to be made to it, to establish its police force, establish its educational system and general machinery of government, restore its railroads and banking institutions to their original condition; but Mexico is so immensely productive and the attraction of capital to the country is so tremendous, that under such conditions I think Mexico would very rapidly pay back such financial support as it might get.

Mr. KEARFUL. Do you think that any capital would be attracted toward investment in Mexico without the absolute assurance of permanent and stable government?

Mr. HARVEY. No; I do not think any sound capital investments would be attracted toward Mexico. Some highly speculative ventures might be undertaken there. I think there is some money going into Mexico to-day.

Mr. KEARFUL. But the investments you speak of as being sufficient to enable Mexico to rehabilitate herself, would such investments be attracted to Mexico without the positive assurance of a stable and permanent government?

Mr. HARVEY. You mean to say without a guarantee from the United States that they would maintain order in Mexico?

Mr. KEARFUL. I do not undertake to say what sort of guarantee, but I mean such assurances as would be satisfactory to those who have the capital to invest.

Mr. HARVEY. I think that some such assurance would be necessary, but that as the situation developed toward sound conditions, of course, the capital would become more confident. It would take a little time without some definite report to establish confidence.

Mr. KEARFUL. I presume that you are aware that the present Mexican Government has taken all of the metallic reserves from the banks of issue to the extent of over 50,000,000 pesos?



Mr. HARVEY. Yes; I am.

Mr. KEARFUL. That the same Government has taken over the railroads and collected all of the revenues since the time of the success of the Carranza revolution?

Mr. HARVEY. Yes.

Mr. KEARFUL. And of the express companies?

Mr. HARVEY. Yes.

Mr. KEARFUL. And that nothing has been paid either by way of payments to noteholders, depositors, creditors, stockholders, bondholders, or any interest paid on the national debt of Mexico to the extent of possibly a billion pesos of capital?

Mr. HARVEY. Yes.

Mr. KEARFUL. Do you think that any plan could succeed without first arranging to discharge those obligations?

Mr. HARVEY. I think that would be practically the first step to take; one of several simultaneous steps. I assume that the only way that that could be done would be by having control of the custom-houses and controlling the export duties.

Mr. KEARFUL. If that could not be done by agreement with the Mexican authorities it would have to be done by force, would it not?

Mr. HARVEY. It would have to be done by force; yes. But my own feeling is that the position would be so strong and the reasonableness of the demand would be so great that the Mexican Government would consent, because it would be their road to freedom. That is the most important item to remember.

Mr. KEARFUL. The sensible view for them to take in their own interest.

Mr. HARVEY. Assigning part of their revenues would be their road to freedom and independence.

Mr. KEARFUL. And the sensible view to take would be that that would be for their best interest?

Mr. HARVEY. Best interest.

Mr. KEARFUL. And the only solution of their difficulties?

Mr. HARVEY. The only solution.

Mr. KEARFUL. Would you be in favor of the United States Government taking over Mexico and retaining it as territory of the United States?

Mr. HARVEY. Most certainly not. I would like to say here I have always been most strongly opposed to any sort of military intervention in Mexico, and it is only since things have gotten to the point they have reached that I felt that a limited and friendly intervention was the only course open. Such military intervention as has been talked about, where 450,000 or 500,000 men would be thrown into Mexico and conquer the country and subdue it, would be, in my opinion, a fatal error in every way. Apart from the effect on Mexico itself, I think that the effect on the whole South and Central America would be very injurious to the United States.

Mr. KEARFUL. Is that the opinion of foreigners generally in Mexico?

Mr. HARVEY. I believe that is; I think that the feelings on the whole of Spanish-America must be taken into account.

Mr. KEARFUL. It is sometimes heard in this country that large foreign interests in Mexico have engaged in a conspiracy to force this

Government into military occupation of the country and annexation. Is that the feeling of your company, which has a very large interest there?

Mr. HARVEY. No, sir; I have never heard of any such idea mooted amongst business people in a business way. I have seen it in the papers. I have seen it suggested, but I have never heard of anything of the sort. I think that up to the present time the foreign interests have felt it was a moral obligation of the United States and that there was no necessity of conspiracy or anything of that sort.

Mr. KEARFUL. What do you believe is the basis or reason for propaganda of that sort?

Mr. HARVEY. The wish is father to the thought, I think, very largely, and it may be political, to embarrass the United States. I would not attempt to answer that question, because my own feeling would be that a group of speculators in Chicago, who have large interests in Mexico, might think it would be a good thing to start an agitation of this sort and suggest it was being done, or they might actually do it. I would not be surprised if Mexican leaders, like Villa, have close touch with financial interests in the United States. I do not mean with the big financial interests, responsible financial interests, but with limited financial interests in the United States or in England or France. I think a certain amount of money might very readily go into Mexico to keep everything in a ferment.

Mr. KEARFUL. What would be the basis of such propaganda emanating from Mexico? What effect does such propaganda have upon the present government of Carranza? That is, the spreading of stories that the Americans and other foreigners interested in Mexico are fomenting intervention?

Mr. HARVEY. Of course, Carranza's supporters might very readily start rumors and a propaganda of that sort in the United States in order to strengthen their own position. That is, I think, a natural and quite probable condition. I did not quite catch the drift of your question at first. But it is not at all unlikely that in these days, when everybody seems to resort to propaganda, that it should be resorted to on the other side of the border.

Mr. KEARFUL. Have you had occasion to observe the movements of radical labor elements in Mexico, if so, what, if any, danger do you see in permitting that condition to continue?

Mr. HARVEY. Well, I have had the opportunity of seeing something of the sindicato, or syndicalist movement, in Mexico. It started sometime before the Russian revolution, or before we began to hear anything at all about Bolshevism. It got considerable hold in Yucatan and in Vera Cruz, and it penetrated to the Yusumacinta River, in Tabasco, where there are large banana interests. It practically eliminated the banana interests on that river, owing to the exorbitant demands the laborers were induced to make. The leaders of that movement came from Vera Cruz. They were a very unprepossessing type of Mexican of Spanish extraction. I saw some of them, and they were men who never did any physical work at all, but they had great influence in talking these crazy theories into the Mexican peons, and they virtually destroyed, with the help of the revolutionary conditions that had been created, on the Yusumacinta River, a very valuable fruit industry that had sprung up in the last 10 years in which both Americans and Mexicans were largely interested.

We had in our own part of the Laguna de la Carmen something of the same sort amongst the longshoremen and they did attempt to visit our property. The trouble on our property started with an American who came down as a boilermaker and immediately joined by a young German. Why the German came I have not any idea, except it has always been the belief that he was connected with some radical organizations, and he started in to try to syndicalize the laborers on our property and they managed to get an organization of about 50 men together, but our manager is a very able and popular man, and by using his diplomatic skill he completely routed these people and we got rid of them. But all along that coast from Vera Cruz to Progreso there is that element, which started before the revolution and it has shown me that the Mexican mind is very fertile soil for radical ideas, and it is impossible for me to think that the very able organizers of the present radical movement are not going to make use of that condition in Mexico for all they are worth, and what that will mean to the United States if they are successful—and I am absolutely confident they will be successful so long as Carranza carries on the form of government he is doing—no greater menace to the welfare of the industrial prosperity of the United States could possibly arise. That is another reason why I feel no possible time should be lost at all in cleaning up Mexico and giving the Mexicans a chance to attend to their own affairs in a decent and Christian way.

Mr. KEARFUL. Returning to one of the previous questions, what have you observed to be the influence of foreign enterprise upon the condition of the laborers in Mexico—I mean during peaceful times and stable conditions?

Mr. HARVEY. Why, foreign enterprise has a tremendous effect in improving the state of Mexican workmen. That is noticeable everywhere. And in the city of Puebla, for instance, which is a great cotton spinning center, industrial center, the people before the revolution were in a splendid condition. They were earning regular wages and they were on a par and their organizations were on a par with very many industrial centers in the United States.

The Mexican is an intelligent man; he is only more of a sentimentalist, he has more of the Celtic characteristics in him than we have on this side of the border, and in dealings with Mexicans we have to remember that fact.

Mr. KEARFUL. What is your belief as to the necessity for a material advancement as the first step toward education of the peons? Is it not true that a workman must have food and clothes before he can entertain higher ambitions?

Mr. HARVEY. Most certainly. The first thing I expressed in that memorandum that Mr. Williams sent you was to rehabilitate the financial condition, and the industrial condition and growth of the industrial situation will rehabilitate itself when the railroads or the means of communication and the banking facilities are re-established, because the Mexicans have plenty of enterprise and there is a very large section of middle-class business people and foreigners who will get right down to business at once, and in a very short time Mexico will show the results of an orderly condition of affairs in the country, so that while this condition is being brought about—

this improved industrial condition is being brought about there will be time to study the educational condition and create educators, because the work would have to be carried out simultaneously, because educators have to be created in Mexico before any education can be introduced into the country, any widespread system of education, any common school system. Our own experience in that connection is interesting, because quite shortly before I left Mexico one of the Carranza decrees was to the effect—it was not legislation, mind you, but it was a decree direct from Carranza and had no indorsement of any congress of any sort.

Carranza does not act by Congress; he acts by decree. That decree was to the effect that every property owner who had any number of employees should establish a school, pay a school-teacher, and engage the school-teacher, and under the law, I think, subject to fine; he had to find a school-teacher. And we were only too glad to carry out that decree, although our plans for education had been knocked on the head by the fact that revolutionary conditions had upset all our organization. However, we set to work to try to find capable teachers for the school, and we were not able to do it. There was not a living soul available who could possibly take charge of that school. We sent as far as Merida, we sent entirely out of the State of Campeche to Yucatan, to try to find teachers and there was none to be found. We had had a school conducted by the daughter of one of our foremen, a Mexican, but she, I think, got in ill health, or something, and when our organization was broken up that all fell through.

MR. KEARFUL. Did you apply to Gen. Salvador Alvarado, the governor of Yucatan?

MR. HARVEY. I do not know what steps were taken in that respect. The manager had charge of it. But I know from his reports he was entirely unable to secure anyone. He had two or three people there who came as ostensible school teachers, but they were absolutely incompetent, worse than incompetent in one case; the scholars could not be trusted with them.

MR. KEARFUL. Mr. Michael Smith testified upon that subject in regard to Yucatan and to the effect that the teachers in that State were furnished by Gen. Alvarado and that many of them could not read or write and their teachings were of the sort that you have just mentioned concerning syndicalism.

MR. HARVEY. I think that is very probably true. In fact, I would be prepared to indorse it.

MR. KEARFUL. Did Carranza undertake to furnish any teachers for the purpose of carrying out his decree?

MR. HARVEY. No; they put it up to us to find our own teachers. There was no Federal or State organization to produce teachers, and they knew that. That is the reason they put it up to us. In other words, they "passed the buck."

MR. KEARFUL. Is there anything further of interest that has not already been referred to that you have in mind?

MR. HARVEY. I feel that I would like to say something about the relative positions of Madero, Huerta, and Carranza in regard to the history that we have been discussing, because I do not think that

the true story of Huerta has really been ever understood, and this is the story as I know it, and I feel sure that it is very near the truth:

Huerta was educated at the military college at Chapultepec. He was an Indian boy and joined some forces just as a drummer boy. I think, in Mexico, but he showed considerable ability and was pushed on and was put into the Chapultepec college, passed with very high honors, and served as one of the colonels of Diaz under the old Mexican constitution. He was always a strong constitutionalist. When Madero finally took the reins over from Diaz, Huerta, following the dictates of the constitution, acknowledged Madero as president. He went to the north and he fought a series of campaigns to establish Madero's power. During that time his health broke down; he got leave of absence; he had pretty nearly quieted that northern country.

**Mr. KEARFUL.** You refer to Orozco?

**Mr. HARVEY.** Orozco. He came back and was residing in Mexico City when Felix Diaz broke out, and he was called on by foreigners and residents alike to try to do something, because he was known to be the strongest military commander available, and he took the steps to force Madero's resignation. After that congress, Madero's congress, the majority of whom had realized that Madero's unfortunate temperament was leading the country into perdition, unanimously—I think absolutely unanimously—appointed Huerta provisional President and accepted his action in demanding the resignation of Madero.

**Mr. KEARFUL.** Was that in accordance with the form established by the constitution?

**Mr. HARVEY.** Yes; that was in accordance with the form established by the constitution, as I understand it, Provisional President. The day he was inaugurated as Provisional President—this was published in the official account of the proceedings of the Mexican Congress—President Huerta stepped off the presidential desk onto the floor of the house and, if my memory serves me—the speech is written in my memory, because it struck me as being a very fine thing—he said, “Brother Mexicans, I am not going to speak to you from the seat of the President of Mexico; I am going to speak to you from the floor of this chamber on the same level as you.” He said: “I am a soldier. I realize my absolute incompetence as a diplomat and as a statesman.” He said: “I have taken this position at the request of you and all others, because I felt that it was the only course for me to quiet Mexico. I appeal for your assistance to do so, and when I have pacified Mexico I promise you that an election will be held and that I will retire, because I do not wish the presidential chair. I do not wish the responsibility, for which I am totally unfitted.”

Now, that was not called for—that speech was absolutely spontaneous. I think it surprised the chamber. I think the record of that speech and those transactions can be found; I think they are of record.

He went back and became a very close friend of Henry Lane Wilson, and I know from my personal connections who were at the same time in touch with Mr. Wilson and Huerta, that Mr. Wilson's influence with Huerta was tremendous, and if that influence had been used simply to remind Huerta of the undertaking he had given his own congress I do not believe any of the subsequent history of

Mexico would have been written. I think that Huerta was the most patriotic constitutionalist of any leader that they ever had, not excluding Diaz.

He was an Indian—he had an Indian mind. He was in some ways a very rough diamond, but he was very able, he was very strong, and he believed in the constitution, which he had learned through his military education. He stated that over and over and over again.

And then Carranza started up claiming constitutionalism as his battle cry, and at the same time forced, or tried to force, his plan of Guadalupe down the throats of the Aguascalientes convention. That Guadalupe plan was nothing more or less than appointing Carranza first chief of the constitutionalists, a thing that Huerta had never done.

Huerta's record and Carranza's record can not be written side by side because the one was a constitutionalist and the other was a dictator. Huerta finally became a dictator and he became a dictator because he was not allowed to undertake the plan he had laid before his own Congress to carry out.

I do not like to take up your time by talking like this, judge, but I think it is a point that ought to get more publicity, because Huerta had his faults, but he has been awfully maligned. There is no question about that.

Mr. KEARFUL. What truth is there in the constant report that Huerta was addicted to drunkenness and immorality?

Mr. HARVEY. Well, if he were not addicted to some drunkenness and some other things, being as he was and living in the country he was, would be a very astonishing thing. It would be a very bad sign. He would not be a true Mexican.

Mr. KEARFUL. Do you think he was conspicuous in that among Mexicans?

Mr. HARVEY. He was not at first; it was not until he got ugly. When he got ugly, seeing that he was not allowed to have a free hand, I think then he did go to the dogs altogether. He simply got ugly.

Mr. KEARFUL. He did not get ugly until after the occupation of Vera Cruz, did he?

Mr. HARVEY. No; I think he began to get ugly at the time of the flag—you remember the conditions at the time that brought about the conditions at Vera Cruz.

Mr. KEARFUL. The Tampico flag incident.

Mr. HARVEY. When he refused to salute the American flag. I think that was the first public illustration we had of Huerta turning ugly, but he did that; there was no question about that. He got so ugly nobody could do anything with him, and being an Indian it is quite natural; it is what you would expect. If I treated an Indian like that I would expect him to get ugly.

Mr. KEARFUL. Is there anything further, Mr. Harvey?

Mr. HARVEY. I do not think so.

Mr. KEARFUL. Thank you.

(Witness excused.)

(Whereupon, at 3.20 o'clock p. m. the committee adjourned.)



# INVESTIGATION OF MEXICAN AFFAIRS.

FRIDAY, JANUARY 23, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,  
*Washington, D. C.*

Testimony taken at Washington, D. C., January 23, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

## TESTIMONY OF MANUEL A. ESTEVA.

(The witness was duly sworn.)

Mr. KEARFUL. Please state your full name.

Mr. ESTEVA. Manuel A. Esteva.

Mr. KEARFUL. Where do you live?

Mr. ESTEVA. New York.

Mr. KEARFUL. What address?

Mr. ESTEVA. 12 Broadway. That is my business address. I am in a hotel now.

Mr. KEARFUL. What is your citizenship?

Mr. ESTEVA. Mexican.

Mr. KEARFUL. In what business are you engaged?

Mr. ESTEVA. In the importing and exporting.

Mr. KEARFUL. How long have you been away from Mexico?

Mr. ESTEVA. From the first time that I came to this country.

Mr. KEARFUL. How long since you have been there?

Mr. ESTEVA. Since April, 1914.

Mr. KEARFUL. What was your profession before you entered into your present business?

Mr. ESTEVA. I was in the Mexican consular service.

Mr. KEARFUL. Through what period of years?

Mr. ESTEVA. Well, I came here to this country for the first time to the New York consulate in September, 1900.

Mr. KEARFUL. What offices did you occupy at different points in the United States since that time?

Mr. ESTEVA. Well, I was in New York, Philadelphia, back to New York, San Antonio, Tex., then to Cuba, and back to New York.

Mr. KEARFUL. What positions did you occupy?

Mr. ESTEVA. Well, I was clerk, you might say, in the consulate here, then consul in Philadelphia, then inspector of general consulates, in charge of the consulate at San Antonio; then I went as consul general to Habana, Cuba—no; I came from Philadelphia back as consul to New York; then I went to San Antonio, Tex.; then I went



as consul general to Habana, Cuba, and then as consul general to New York.

Mr. KEARFUL. That service covered a period extending over a large portion of the rule of Porfirio Diaz, the time of Madero, and Carbajal, and Huerta?

Mr. ESTEVA. De la Barra was between Diaz and Huerta: De la Barra, then Madero, and then Huerta, and, of course, Carbajal was only a few days.

Mr. KEARFUL. Upon what event did you leave the consular service?

Mr. ESTEVA. When the present Government got in office.

Mr. KEARFUL. When Huerta abdicated?

Mr. ESTEVA. Not exactly, because Huerta abdicated before the service was suppressed by the Carranza Government, and I left the consular service in New York in August, 1913. Huerta was already gone from Mexico.

Mr. KEARFUL. During your consular service, did you have occasion to become familiar with the operations of the various revolutionary activities of Mexicans in the United States?

Mr. ESTEVA. Yes; because you see, outside of my consular service I filled several diplomatic missions for Mexico.

Mr. KEARFUL. What were those?

Mr. ESTEVA. Well, when here in Washington, I was first secretary to the special embassy that came to Washington for participation in the centenary in Mexico.

Mr. KEARFUL. What do you regard as the beginning of the present revolutionary troubles in Mexico?

Mr. ESTEVA. Well, I regard the beginning of the revolution the articles of Turner "Barbarous Mexico." I think they were written in 1908. I am not sure exactly the year, but I think so.

Mr. KEARFUL. Those articles were supposed to have been written by John Kenneth Turner.

Mr. ESTEVA. John Kenneth Turner; yes.

Mr. KEARFUL. Do you know who actually wrote them?

Mr. ESTEVA. I know he wrote part of them. I know also several articles were written by Lazaro Gutierrez de Lara.

Mr. KEARFUL. What were his politics?

Mr. ESTEVA. He was a Socialist.

Mr. KEARFUL. The articles were written by him in Spanish?

Mr. ESTEVA. Written in Spanish, and they were sent to New York, and they were given to a Mexican who was at the time in New York and he translated them into English.

Mr. KEARFUL. You got this information from the Mexican you mention?

Mr. ESTEVA. Yes; I got it exactly from the man who was making the translations.

Mr. KEARFUL. Do you know who paid for those translations?

Mr. ESTEVA. Yes; he told me once that an oil company.

Mr. KEARFUL. An oil company?

Mr. ESTEVA. An oil company here was paying for those translations.

Mr. KEARFUL. What was the oil company?

Mr. ESTEVA. He said the Standard Oil Co.

Mr. KEARFUL. Did he give you any evidence of payment by the Standard Oil Co.

Mr. ESTEVA. Yes; while he was talking to me he showed me a check.

Mr. KEARFUL. In your capacity as consul did you have occasion to learn of the operations of John Lind when he was in Vera Cruz?

Mr. ESTEVA. John Lind?

Mr. KEARFUL. Yes.

Mr. ESTEVA. Yes; I know a great deal about that part over there, because you know in my connection with the State Department I was told many things that really happened, and I was told not only by them but some of the Americans that Mr. Hale was in Mexico working in the same capacity.

Mr. KEARFUL. William Bayard Hale?

Mr. ESTEVA. William Bayard Hale, and it would seem that Mr. Hale was already going a little toward Huerta, and then Mr. Lind was sent to supersede him. Mr. Lind arrived in Mexico, and it seemed like he expected to be received with the honors of a special ambassador, and he was very much hurt when Huerta did not pay any attention to him, so he left Mexico indignant and came to Vera Cruz, and there in Vera Cruz he started work practically against Huerta personally, and even holding political meetings there in Vera Cruz, and I was told they were in the American consulate, some of those meetings. What I mean political meetings, I mean Mexican political meetings.

Mr. KEARFUL. You mean revolutionary meetings?

Mr. ESTEVA. Revolutionary meetings.

Mr. KEARFUL. While he was living there under the protection of the Huerta Government?

Mr. ESTEVA. Yes; because Huerta was the president; that is true.

Mr. KEARFUL. And do you know anything about a letter he wrote to Bryan in reference to the City of Mexico?

Mr. ESTEVA. Yes; I saw that letter. I knew about the letter he had written to Mr. Bryan to Washington, and then afterwards I was surprised to see it published in the Hearst papers in New York. Of course I don't know how Mr. Hearst got the letter, but it was very interesting, because he said that the only way to get things in Mexico right was to humble the city; that it was very proud.

Mr. KEARFUL. Humble the city?

Mr. ESTEVA. Humble the City of Mexico; that the people there were very proud.

Mr. KEARFUL. What was the idea expressed as to the method of humbling the city?

Mr. ESTEVA. The method was to bring Villa to Mexico City and make Villa humble the Mexicans there, and from the date, really, of that letter Villa was receiving ample support in Washington. I knew of an incident which was assured to me by some Americans that there was an order to write the biography of Villa.

Mr. KEARFUL. An order given by whom?

Mr. ESTEVA. Well, I was told by Mr. Bryan, and they made a moving picture out of that biography, and that moving picture was exhibited in New York.

Mr. KEARFUL. In what year?

Mr. ESTEVA. I think that was in 1914.

Mr. KEARFUL. Before Mexico City had been humbled?

Mr. ESTEVA. Yes; before Mexico City was humbled.

Mr. KEARFUL. Did you see that picture?

Mr. ESTEVA. I saw that picture myself. I think it was the Lyric Theater. I am not exactly sure, but it was on Forty-second Street in New York. It was exhibited there for several weeks. It was a very romantic and pathetic story. It showed that Villa had two sisters, and one was a very young one and was assaulted by a Mexican officer of the army, and she died, and then the other sister died also of broken heart, and Villa came before the grave and swore revenge.

Mr. KEARFUL. Swore vengeance over the grave?

Mr. ESTEVA. Swore vengeance over the grave, and it was pointed out that was really the reason and the cause why Villa had gone into the field to be a bandit.

Mr. KEARFUL. Was there any truth in that story?

Mr. ESTEVA. Well, according to what I know, no; nothing at all.

Mr. KEARFUL. Did you have any connection with the Niagara conference?

Mr. ESTEVA. Yes; I was appointed assistant delegate to that conference.

Mr. KEARFUL. Where were you located then?

Mr. ESTEVA. I was in New York as consul general at the time.

Mr. KEARFUL. In connection with that conference was there an agreement entered into by this Government with the Mexican delegates to prevent the shipment of arms and ammunition?

Mr. ESTEVA. Yes. That was one of the things they did there. You see I was not very familiar with that conference because I stayed there about a week or so and had to come back to New York, but, of course, I knew a great deal of what happened in that conference.

Mr. KEARFUL. How was that agreement carried out on the part of this Government in regard to the shipment of arms and ammunition?

Mr. ESTEVA. Well, I do not think it was carried out at all, because at that time there was a boat in New York called the *Antilles*, which was to sail the next few days, and it seemed to me it was purposely put under the Cuban flag to avoid the responsibility of the American Government, and they loaded up with arms and ammunition and munitions in New York, and I was in New York at the time, and then I called up on the telephone to the Spanish ambassador here in Washington, Mr. Riano, who was at the time in charge of the Mexican affairs here, and notified him of the fact that the boat was being loaded with arms and munitions, and ready to sail to Mexico, and he promised to take the matter up with the State Department, which he did, and called me back and said that the State Department was going to look into the matter and probably stop it if they could.

Then I went to the customhouse in New York and I was confidentially told there that they had received instructions from the State Department or from the Treasury Department here to facilitate the sailing of the boat. Then the day I knew the boat was sailing I called up on the telephone again to the Spanish ambassador to tell him that the boat was sailing, and then I received the answer later by the ambassador saying that he had gone to tell Mr. Bryan that the boat had already sailed from New York, and Mr. Bryan told

him that he did not know that the boat had sailed and that he could not stop it.

Mr. KEARFUL. Then subsequently when the boat attempted to land at Vera Cruz was any action contemplated to stop it?

Mr. ESTEVA. You mean from the Mexican Government?

Mr. KEARFUL. Yes.

Mr. ESTEVA. I think they tried to do it; but I think the American Government said they would send a cruiser to protect the boat so they could land the arms and munitions at Tampico.

Mr. KEARFUL. And subsequently to the sailing of the *Antilles* was there another shipment from other ports?

Mr. ESTEVA. None that I know of, but I know of one incident before that; from Galveston a boat sailed with arms and ammunition, and with false manifests, clearing for another port, and then changed her course and went to land the cargo in Mexico, and I understand when the port authorities found out the deviation of the boat they fined the boat \$500 for false entry or false manifests.

Mr. KEARFUL. The port of Tampico was then in the hands of the Carrancistas, was it?

Mr. ESTEVA. You mean at the time of the *Antilles* incident?

Mr. KEARFUL. Yes.

Mr. ESTEVA. Yes; it was already in the hands of the Carrancista revolutionists.

Mr. KEARFUL. And that was the port where the landing was made?

Mr. ESTEVA. Yes; where they landed the arms.

Mr. KEARFUL. During the time of Porfirio Diaz and Madero and De la Barra and Huerta were there any such things known as concessions granted by the Mexican Government for the free import of articles?

Mr. ESTEVA. Well, not in a general way. Of course, there were some new enterprises or new developments that could be given concessions to bring machinery in or something free of duty.

Mr. KEARFUL. But were there any such things as concessions for building material in general?

Mr. ESTEVA. Oh, no.

Mr. KEARFUL. Did you know of such concessions having been made by the Carranza Government?

Mr. ESTEVA. Yes; I know one, I understand, that was given to Mr. Barrios Gomez, and it seemed that he tried to work that concession with some hardware stores in Mexico, and then afterwards I think he passed it to somebody else. I am told Mr. Nieto.

Mr. KEARFUL. Nieto was subsecretary of the treasury.

Mr. ESTEVA. Nieto was subsecretary of the treasury at the time.

Mr. KEARFUL. Who was secretary of the treasury?

Mr. ESTEVA. He was secretary while Mr. Cabrera was away.

Mr. KEARFUL. Luis Cabrera was secretary?

Mr. ESTEVA. Luis Cabrera was the secretary.

Mr. KEARFUL. What was the method of exploiting concessions of that kind?

Mr. ESTEVA. You mean again by the Carranza Government?

Mr. KEARFUL. Yes.

Mr. ESTEVA. Well, the one who got the concessions, they came to the United States and tried to sell those concessions for half of the duty that really would have been paid.

Mr. KEARFUL. Do you know anything about a firm that used to be at Vera Cruz called Agencia La Garda?

Mr. ESTEVA. Yes; I knew the Agencia La Garda was really an agency working in connection with the treasury department in Mexico, and that was a public fact, because they even came out in the papers, and I think Mr. Cabrera went over there to reorganize the treasury department, and they severed entirely connections with the La Garda Agency. The La Garda Agency was buying and selling articles for Mexico.

Mr. KEARFUL. What was their method of doing business?

Mr. ESTEVA. Well, it was a general importing and exporting house.

Mr. KEARFUL. Who were the individuals who profited by the operations of that concern?

Mr. ESTEVA. Well, I do not know exactly, but I suppose the treasury department must have received something for it.

Mr. KEARFUL. The officers of the treasury department?

Mr. ESTEVA. Well, the officers or the office.

Mr. KEARFUL. Did they engage in the buying and shipment of hides?

Mr. ESTEVA. Yes. Well, all Mexican raw materials. You see they were buying it there and exporting it to the United States.

Mr. KEARFUL. Do you know anything about a concession to import Cuban cigarettes free of duty?

Mr. ESTEVA. Yes; I was told by a man who seems to be very familiar with those dealings—well, I don't remember the name of the man in Vera Cruz, he got a concession for importing 1,000,000 boxes of Cuban cigarettes free of duty into Mexico, and he assured me they got a Mexican dollar profit on each box.

Mr. KEARFUL. Those concessions were granted by the head of the treasury department?

Mr. ESTEVA. Well, not necessarily, but by the department itself.

Mr. KEARFUL. By the department?

Mr. ESTEVA. Yes.

Mr. KEARFUL. What do you know about an operation of the shipment and coinage in this country of Mexican gold and silver.

Mr. ESTEVA. Well, what I know about that is that the Mexican Government sent here some bars of silver and gold and they were trying to make an arrangement with Islin & Co., in New York, to have the money coined in Philadelphia in the mint, and they were going to get the difference in the actual value of the silver in the market and the value of the Mexican coin, and I understand it made a difference of about \$5,000,000, and I understand also that the deal could not be carried through because the American Government stopped it.

Islin & Co.?

ime, but I know the at-  
Retana.

rk City?

having lived there since

of Mr. Manuel Lopez

Mr. ESTEVA. I believe so.

Mr. KEARFUL. Mr. Lopez Figueroa testified before the committee some time ago?

Mr. ESTEVA. Yes.

Mr. KEARFUL. What changes have been made in the consular charges since you were connected with the office in New York?

Mr. ESTEVA. You mean for fees for consular invoices?

Mr. KEARFUL. Yes.

Mr. ESTEVA. Well, when I was connected with the consulate there was a nominal fee for each \$100, and usually after \$500 was about 50 cents or \$1 fee for each additional \$100, and since the Carranza Government has been in power they charge now 3 per cent of the value of the consular invoice.

Mr. KEARFUL. What change has been made in regard to excess charges for invoices outside of office hours with reference to fixing office hours?

Mr. ESTEVA. Well, with the previous Government there was a fee that was called double duties that could not exceed more than \$4, and to-day I understand they charge regular double fees regardless of the amount.

Mr. ESTEVA. That is, when business is transacted outside of office hours?

Mr. ESTEVA. Yes.

Mr. KEARFUL. And have the office hours been reduced?

Mr. ESTEVA. I understand they have been reduced about one hour.

Mr. KEARFUL. You, of course, kept in touch with the American policy and the operation of the American policy toward Mexico during the time that you were consular officer?

Mr. ESTEVA. Well, I had to. You see, I have been here working specially from the time of the revolution of Madero and subsequent events, and I have been seeing how really all the revolutions, even starting with the Madero revolution, have been more or less helped in this country.

Mr. KEARFUL. Do you think it is possible to start a revolution in Mexico without assistance in this country?

Mr. ESTEVA. Well, it would be almost impossible, because you see Mexico can not produce any arms and ammunition, and if they have to bring them from European countries they have to come from a boat, but when they come from this country it is very easy to smuggle them in across the border. I do not know whether the American people at large really realize the moral responsibility that the country has assumed with the protection or help that the Government has been giving to the latest revolution, because when they undertook to take out Huerta from Mexico, practically they assumed the responsibility of Mexico with the European powers.

Mr. KEARFUL. You believe because of the action of this Government in eliminating Huerta and imposing Carranza the American Government is responsible to foreigners for damages done to them by the revolution?

Mr. ESTEVA. I think so. If any investigation comes naturally to clear up the responsibility of Mexico for the debts it would come out that Mexico is in the position that practically it is to-day, due to the attitude of the administration in Washington.

Mr. KEARFUL. What do you regard as the inevitable tendency or the policy of the Washington administration? To what end do you think it must lead eventually?

Mr. ESTEVA. Well, I will tell you; I started seeing the effects of the policy, if you can call it policy, that has been followed at Washington from the latter part of 1915 and the beginning of 1916. I have told some friends of mine that instead of avoiding intervention that policy was bringing intervention into Mexico. The Mexicans themselves are not wanting intervention in Mexico, but it is the policy of the United States that is bringing intervention into Mexico.

Mr. KEARFUL. You mean the policy or lack of policy that has been followed by the administration?

Mr. ESTEVA. That had been followed so far is bringing the country into chaos, and finally, sooner or later, there will be intervention which will be a necessity. I think the worst thing to come would be armed intervention in Mexico.

Mr. KEARFUL. Do you mean you think it would be a bad thing for Mexico?

Mr. ESTEVA. Well, I think it would be bad for both countries, because the Mexicans have some characteristics—they have the physical courage that they don't care who they fight, and even knowing they will lose, they will fight, and that would destroy the country. And more for the United States, because it would take years to get back on the same standard they were before this revolution, in the eyes of Mexicans and of all Latin-American countries.

Mr. KEARFUL. You mean there would be a sentiment of hostility engendered?

Mr. ESTEVA. There would be a sentiment of distrust and hostility. If Mexico had been left alone to work out her own salvation maybe things would be entirely different to-day, and I think the time is to aid Mexico in some way to work it out. If the United States would be absolutely friendly, the way they should be, being so close together—the two republics—and help Mexico as a friend, Mexico would come out of what it is to-day very easily.

Mr. KEARFUL. What is your opinion as to how the United States could help Mexico effectively and in a friendly way now?

Mr. ESTEVA. Well, to begin with, I believe that Carranza could have been absolutely helped, not only being recognized, but left alone, and perhaps even Carranza could bring the country to the front. But the way the thing was done, under the recognition and no help at all, he was in desperate straights for lack of money and confidence of the people. The people that were originally against Carranza would always help him if they saw there was no help to come from Washington, outside of recognition, and that kept the rebels in the field. But if Washington helped somebody down there, that would give guaranties, even if Carranza could give guaranties and receive practical help, I think the country could come back to what it was.

Mr. KEARFUL. You mean financial help?

Mr. ESTEVA. Well, financial help, and not only financial, but all kinds of help Mexico needs to-day.

Mr. KEARFUL. Well, is not financial help the principal help?

Mr. ESTEVA. The principal help; yes.

Mr. KEARFUL. You know, of course, the present sentiment of bankers who are able to give financial help is absolutely that they will not lend a dollar to the present Government of Mexico without guaranty from the Government of the United States that the money will be properly used, and not only that, but that there will be established and maintained a stable Government?

Mr. ESTEVA. Yes; I know that. But I know also that the bankers will not give the money to Carranza himself, because they are not even sure that Carranza will stay there, because the Administration in Washington may go back on Carranza. I know in New York if they will only be sure that the policy in Washington will be to keep Carranza there they might help Carranza.

Mr. KEARFUL. How would it be possible for the American Government to give the proper assurance to the bankers and to maintain that assurance without being prepared to use armed force? Do you think that would be possible?

Mr. ESTEVA. You mean to give a guaranty to the bankers that the money they will invest there will be safe?

Mr. KEARFUL. Yes.

Mr. ESTEVA. Well, of course, a guaranty Washington might have on Mexico would be more moral than anything else, but if Washington makes the Mexican Government whatever it is, understand that they mean business, and if they will keep their promises and the guaranties that it will give for good and stable government, I believe the Mexican Government, or the Mexicans themselves, will fulfill those obligations.

Mr. KEARFUL. Do you not think it would be very difficult now to make the Mexicans believe that the American Government meant what it said, in view of the many ultimatums that have been sent and receded from?

Mr. ESTEVA. Well, perhaps, but if they will take a firm attitude without vacillating I think the Mexicans are sensible enough to realize it is probably the last chance they have to put the country on a good basis and they will try to do it.

Mr. KEARFUL. Where is the better class of Mexicans living at the present time?

Mr. ESTEVA. Well, they are out of Mexico. Practically all the brains and all the cultured men are away from Mexico.

Mr. KEARFUL. Where are they living, mostly?

Mr. ESTEVA. Well, many are in the United States. There are some in Cuba too, and then there are some in Europe.

Mr. KEARFUL. About what number would you estimate of those Mexicans?

Mr. ESTEVA. Of that class of Mexicans?

Mr. KEARFUL. Yes.

Mr. ESTEVA. Well, no less than 500,000.

Mr. KEARFUL. Do you know about what was known as the Pan American Conference, which was a conference called by six South American countries at the instigation of Washington, for the purpose of attempting to get the different Mexican factions together in 1915?

Mr. ESTEVA. Yes; and I think they even sent invitations to them to do it, and I understand also that they offered President Wilson the permission of the Government using one of the former secre-



taries of President Madero as president, getting a very good cabinet, and President Wilson offered to consider it, but I think he never acted on that.

Mr. KEARFUL. You remember that the result of that conference was the recognition of Carranza as de facto head of the Mexican Government?

Mr. ESTEVA. Yes; I did not think what you were meaning. Yes; I know they were discussing over there in Washington the recognition of somebody in Mexico, and it was indicated at the time that the best man was Mr. Carranza, and I think the only one in favor of the recognition of Carranza of the Latin American countries was the Argentine ambassador.

Mr. KEARFUL. He was the only one?

Mr. ESTEVA. He was the only one who recommended him strongly.

Mr. KEARFUL. And what was the reason given by him for favoring the recognition of Carranza?

Mr. ESTEVA. Well, I was told—I only know that through the man who told me, who knew about it—he said if Carranza got the responsibility of the Government in his hands he might fall out in six months.

Mr. KEARFUL. Do you remember at the time of the recognition of Carranza it was announced by this Government that the action was taken on the unanimous recommendation of the six southern republics?

Mr. ESTEVA. Yes; but I understand, as I say, that really the only one who advocated it strongly was the Argentine ambassador.

Mr. KEARFUL. Mr. Naon?

Mr. ESTEVA. Mr. Naon; but I understood that it was opposed by the Brazilian ambassador.

Mr. KEARFUL. What is your information as to what happened to Mr. Naon politically because of the attitude he took in favor of Carranza at that time?

Mr. ESTEVA. Well, I was told by some Argentinians who came from there that he was a candidate of the Young Men's Party in Argentina, and after the investigation they made of his mixing up in these Mexican affairs they nominated the one who is president of Argentina to-day.

Mr. KEARFUL. They turned him down?

Mr. ESTEVA. Turned Mr. Naon down.

I want to say that I know of things not in my capacity as consul but as an individual, so I am not giving away any secrets of the service.

Mr. KEARFUL. Is there any statement that you would like to add, Mr. Esteva, in regard to the matters you have been discussing?

Mr. ESTEVA. Well, the only thing is my hope that the United States will see they are responsible for what is really going on in Mexico and that they will do their best to straighten out the things in the best way possible, and then the people in this country will realize the people of Mexico are not cutthroats and bloodthirsty people; that they have always been peaceful, that the peons there are really peace-loving people, and they are, of course, like anybody else; people come around and rouse them only with promises. You can not get Mexicans to raise an army just to go and plunder, but they

always appeal to some fine sentiment of the people. So the material is there. If those people had good leaders, they would be very good. I think that has been proven in the past in the time of Gen. Diaz; that those people can be very honest and worthy. In that time you could go from one side of the country to the other with gold in your hands and nobody would touch it.

There are some of the people, you know, who are partially educated that have an ambition to get somewhere and they go and arouse some Indians, but they have to go and appeal to some fine instinct in that Indian, as they have done in the past, promising them some land, or the restoration of their own property, and it seems an Indian there never forgets that the land was once his, and that is the one promise that always appeals to him.

Mr. KEARFUL. Which never has been fulfilled, however?

Mr. ESTEVA. Which never has been fulfilled.

Mr. KEARFUL. Do you think it is susceptible of fulfillment?

Mr. ESTEVA. You mean the delivery of the lands to the Indians?

Mr. KEARFUL. Yes.

Mr. ESTEVA. No; not immediately, but I think it is easy to have it done, there are so many lands belonging to the Government and so many lands can be developed; and not to take it away, but to buy it from some of the landowners when they have more than they can put to use, and it can be sold to the low class of Mexicans and the Indians similar to the way it is done in the United States.

Mr. KEARFUL. But you believe that those promises that are made to the Indians to provoke them to join a revolution are purely visionary and dishonest promises?

Mr. ESTEVA. In most of the cases, sir. I suppose there are a few that are in good faith, but in most of the cases it is just an excuse to raise an army.

Mr. KEARFUL. Do you really and sincerely believe that there is any hope for the rehabilitation of Mexico without the assistance of the United States or some other outside power?

Mr. ESTEVA. No; Mexico has to have assistance to come back to the front, but I do not believe, as I say, that the assistance has to come with armed intervention. I think, on the contrary, if armed intervention comes it will set Mexico back many years. But assistance has to come. Mexico is in such shape to-day it can not come back of itself.

Mr. KEARFUL. I am not able to follow you. I do not understand how the United States could assist the real Mexicans to institute and maintain a Government without using armed force. You have stated that there are approximately 500,000, including practically all the best people in Mexico, who are living in exile, who are not able to go back and live in Mexico. Is it possible to put those people back in Mexico and give them a chance?

Mr. ESTEVA. Yes; it is.

Mr. KEARFUL. Without armed force?

Mr. ESTEVA. Without armed force.

Mr. KEARFUL. How can that be done?

Mr. ESTEVA. If Washington will assist, as I said before even Carranza, but assist practically by the backing up of a good man that they will absolutely consider reliable, to form a stable Government,

with a good cabinet, and if the Mexican people are convinced that is the last chance Mexico has to rehabilitate itself without armed intervention, I think Mexico would come to the front, and all the Mexicans that are away from Mexico would go back and help Mexico, and I think if there is fairness in the Washington Government that chance would be given to Mexico before there is recourse to armed intervention.

Mr. KEARFUL. But, as I understand you, such assistance, in order to be effective, must be accompanied by the firm declaration that if a straight line is not pursued then Mexico must expect armed intervention.

Mr. ESTEVA. Armed intervention. You know if the bankers only knew Washington was going to help a man and help him decidedly and firmly they would come to the assistance of that Government, but I know positively the bankers are not assisting the Carranza government because they are not sure themselves that Carranza will be helped to the limit. I have had several talks myself with bankers in New York and I have been told that they have not absolute confidence in their own Government about a firm policy toward Mexico.

Mr. KEARFUL. Is there any difference of opinion among them about that point?

Mr. ESTEVA. Practically none.

Mr. KEARFUL. Is there anything further, Mr. Esteva?

Mr. ESTEVA. No, sir; unless you have something else to ask me.

Mr. KEARFUL. No. Thank you, very much. You will be excused. (Witness excused.)

(Whereupon, at 11.40 o'clock a. m. a recess was taken until 1.30 o'clock p. m.)

#### AFTER RECESS.

The hearing was resumed at 1.30 o'clock p. m.

#### TESTIMONY OF J. H. DICKMAN.

(The witness was duly sworn.)

Mr. KEARFUL. Please state your full name.

Mr. DICKMAN. J. H. Dickman.

Mr. KEARFUL. What is your place of residence?

Mr. DICKMAN. Mountain Lake, Minn.

Mr. KEARFUL. Are you connected with a company that has been operating in Mexico?

Mr. DICKMAN. Yes, sir.

Mr. KEARFUL. What is the name of it?

Mr. DICKMAN. It is the Associated Tropical Plantation Co.

Mr. KEARFUL. What sort of operations did that company have in Mexico?

Mr. DICKMAN. Operating a banana plantation.

Mr. KEARFUL. In what State.

Mr. DICKMAN. Vera Cruz.

Mr. KEARFUL. How many acres was in the plantation?

Mr. DICKMAN. The whole estate comprised about 24,000 and there were about 4,500 acres planted to bananas.

Mr. KEARFUL. Does the company own the title to this land?

Mr. DICKMAN. Under a contract.

Mr. KEARFUL. What amount of money was invested in this plantation?

Mr. DICKMAN. About \$3,000,000.

Mr. KEARFUL. Was it fully equipped and stocked and in full operation?

Mr. DICKMAN. Yes, sir.

Mr. KEARFUL. Up to what time?

Mr. DICKMAN. About 1916.

Mr. KEARFUL. What happened to it at that time?

Mr. DICKMAN. Well, we were driven away. The rebels drove our management away from the plantation.

Mr. KEARFUL. How many men were employed by the company on the plantation?

Mr. DICKMAN. At that time possibly about 80. I think prior to that time we used to employ around 300.

Mr. KEARFUL. Is this a close corporation or is the stock of it held pretty generally by people in the United States?

Mr. DICKMAN. Held pretty generally.

Mr. KEARFUL. In what portion of the country?

Mr. DICKMAN. All over the United States and Canada from coast to coast.

Mr. KEARFUL. What method of transportation was used by the company from the plantation to the coast?

Mr. DICKMAN. Boats.

Mr. KEARFUL. How far was it?

Mr. DICKMAN. Well, approximately about to Galveston—

Mr. KEARFUL. No; to the Pacific coast?

Mr. DICKMAN. Forty-seven miles.

Mr. KEARFUL. What means of transportation—by boat or barges?

Mr. DICKMAN. By boat. The river afforded transportation for a boat that we used that was 220 feet long and it could turn right around in the river and swing right up to the banks and load the bananas.

Mr. KEARFUL. How many boats did you have?

Mr. DICKMAN. We had one.

Mr. KEARFUL. What became of the boat?

Mr. DICKMAN. That has been sold. I might explain that probably a little further. The Gulf Coast Plantation Co. and the Associated Tropical Plantation Co. were very closely related to each other in having stockholders of either company interested in both of the plantations, and the Gulf Coast Plantation Co. was the older of the two, and that company purchased a steamer and in connection with that the Associated Tropical Plantation Co. made a contract with the Gulf Coast Plantation Co. to haul its bananas, you know, for so much a bunch or so much a hundredweight to the market, and our bananas were a little farther in and they would load what we had at Filasola and then go to Tabasqueña.

Mr. KEARFUL. What happened to the plantation when the men were driven away?

Mr. DICKMAN. All the buildings have been destroyed and the plantation has gone back to jungle.

Mr. KEARFUL. How long has it been since it has been possible to conduct any operations there?

Mr. DICKMAN. Some time in 1916 is my best recollection of that Mr. KEARFUL. Has any attempt been made by the manager of your company to return to the plantation recently?

Mr. DICKMAN. Yes, sir.

Mr. KEARFUL. Has he been able to do so?

Mr. DICKMAN. No, sir.

Mr. KEARFUL. For what reason?

Mr. DICKMAN. He was warned by the Carranza authorities at the port of Mexico not to attempt to go there.

Mr. KEARFUL. Then, I understand that the plantation and the money invested, amounting to \$1,000,000, is now a total loss?

Mr. DICKMAN. Yes, sir.

Mr. KEARFUL. With the exception of the land itself?

Mr. DICKMAN. The land itself.

Mr. KEARFUL. Which has practically returned to a jungle condition?

Mr. DICKMAN. Yes, sir.

Mr. KEARFUL. When do you expect to be able to resume operations there?

Mr. DICKMAN. We could not expect to resume operations there before the Mexican Government would be in shape to insure us protection. Just when that will be I do not know. It may be a long time hence.

Mr. KEARFUL. Have you any indication that such protection will be given in any reasonable period?

Mr. DICKMAN. No, sir.

Mr. KEARFUL. Have any promises been made you now by the Mexican Government in that respect?

Mr. DICKMAN. No, sir.

Mr. KEARFUL. At the time of the destruction of this property was any effort made to get protection from the Carranza government?

Mr. DICKMAN. No, sir; I do not believe so.

Mr. KEARFUL. Did you make any effort to get protection from this Government?

Mr. DICKMAN. No, sir.

Mr. KEARFUL. This is an American corporation, is it?

Mr. DICKMAN. Yes, sir.

Mr. KEARFUL. You were not personally on the ground when the destruction of this property occurred, were you?

Mr. DICKMAN. No, sir.

Mr. KEARFUL. You are testifying from reports that were made by your manager?

Mr. DICKMAN. My manager; yes.

Mr. KEARFUL. Where is he? Is he available?

Mr. DICKMAN. At the present time I believe he could be reached at Houston; that is his home.

Mr. KEARFUL. Houston, Tex.?

Mr. DICKMAN. Yes, sir; but he is about to sail to Minatitlan about the 27th of this month. I think he has transportation for that date.

Mr. KEARFUL. He is engaged in some other business now?

Mr. DICKMAN. Since he had to leave our plantation he has been working for Pierson & Sons, the oil refinery.

Mr. KEARFUL. Have you filed your claims against the Mexican Government with the State Department?

Mr. DICKMAN. I have not.

Mr. KEARFUL. Is there any other statement in connection with this matter that you desire to make?

Mr. DICKMAN. No; I do not know of anything that has any bearing on the case here. We had about 200 head of cattle there and some horses and everything was taken away, if that has anything to do with it.

Mr. KEARFUL. Any money stolen?

Mr. DICKMAN. No; I don't think so.

Mr. KEARFUL. The ranch supplies—were they taken away?

Mr. DICKMAN. Everything.

Mr. KEARFUL. And the buildings were destroyed?

Mr. DICKMAN. Every building.

Mr. KEARFUL. That will be all, I think. Thank you, sir.

(Witness excused.)

### TESTIMONY OF W. B. LOUCKS.

(The witness was duly sworn.)

Mr. KEARFUL. Please give your full name.

Mr. LOUCKS. Walter B. Loucks.

Mr. KEARFUL. Where do you live?

Mr. LOUCKS. Minneapolis, Minn.

Mr. KEARFUL. That is your post-office address?

Mr. LOUCKS. Yes, sir.

Mr. KEARFUL. You are an American citizen?

Mr. LOUCKS. Yes, sir; born in this country.

Mr. KEARFUL. What connection have you had with operations in Mexico?

Mr. LOUCKS. You mean with relation to my company?

Mr. KEARFUL. Yes, sir.

Mr. LOUCKS. I have been the chief executive since the year 1912.

Mr. KEARFUL. Of what company?

Mr. LOUCKS. Tabasco Plantation Co.

Mr. KEARFUL. Operating where?

Mr. LOUCKS. In the States of Tabasco and Vera Cruz in Mexico.

Mr. KEARFUL. What was the capital of the company?

Mr. LOUCKS. An authorized capital of \$5,000,000; about \$2,000,000 of which was invested in our properties in Mexico.

Mr. KEARFUL. What sort of properties were they?

Mr. LOUCKS. We have what is known as plantation San Miguel Juarez, situated in the State of Tabasco. This consists of 7,300 acres and was formerly devoted to the raising of bananas, cacao, rubber, and cattle.

Mr. KEARFUL. Is the stock of your company widely held?

Mr. LOUCKS. Yes. We have on our records a little better than 2,600 stockholders. They are scattered throughout the various States of the Union, and about \$500,000 of the stock is held in Canada.

Mr. KEARFUL. What is the name of the plantation?

Mr. LOUCKS. The second one is known as Plantation La Oaxaquena, which is situated in the State of Vera Cruz, the southwestern part on the ——— River. The nearest town is Santa Lucrecia.

Mr. KEARFUL. That is composed of how many acres?

Mr. LOUCKS. Twenty-four thousand eight hundred.

Mr. KEARFUL. How are the titles to those properties held by the company?

Mr. LOUCKS. They are held by the Tabasco Plantation Co. Originally there was what was known as the Tabasco Land & Development Co., which originally purchased the property. The title was held in escrow by the Chicago Title & Trust Co. until the year 1909, when the contract for development purposes with the development company expired, at which time the property was deeded to the Tabasco Plantation Co. and so held.

Mr. KEARFUL. Held by what sort of title?

Mr. LOUCKS. Warranty deed.

Mr. KEARFUL. Where did the title originate?

Mr. LOUCKS. With us it originated with the purchase from one Pedro Ruiz—I am speaking now of the La Oaxaquena, because that is our major investment. It was purchased in the year 1903 from Pedro Ruiz, a Spaniard in Mexico. The property was deeded by him to the Tabasco Land & Development Co. and, as I said before, in the year 1909 was by the Chicago Title & Trust Co. deeded to the Tabasco Plantation Co.

Mr. KEARFUL. What sort of business was conducted on this plantation?

Mr. LOUCKS. We are employed in the growing of sugar cane and the manufacture of sugar.

Mr. KEARFUL. Will you describe in a general way the extent of the plant established for that purpose?

Mr. LOUCKS. We have a mill with a capacity of 1,000 tons of cane daily, capable of being increased to the point where it could handle 3,000 tons of cane daily; an entire establishment, including sugar factory, warehouses, and all that would go with a modern plant.

Mr. KEARFUL. All sorts of modern machinery installed?

Mr. LOUCKS. At the time it was installed it was the most modern that could be purchased.

Mr. KEARFUL. Railway tracks and cars?

Mr. LOUCKS. We have something like 35 kilometers of railway track on the plantation and had under cultivation 4,000 acres of cane.

Mr. KEARFUL. How many men were employed?

Mr. DICKMAN. That varied with the season. During the grinding period we employed from 1,500 to 2,000 men; in the dull season we employed around 600 men.

Mr. KEARFUL. What accommodations did you provide for the employees?

Mr. LOUCKS. We had a complete camp with between 150 and 200 houses for the employees, and running water to each and every one of the houses, and it was as near modern as we could furnish under the circumstances we were working under in Mexico.

Mr. KEARFUL. What were the wages paid to the employees?

Mr. LOUCKS. I have a schedule here of not only the number but the nationality and the amounts paid to the various nationalities going back to the year 1913. Taking the month of April I think there were 1,536. There appears to be an error in your copy. It is 1,553. This shows that we were paying the Japanese at that

time—we had some 35 in number—an average of \$2.01; that is in Mexican money. We were paying the natives \$1.73; we were paying another set of natives 1 peso and rations, which was equivalent to about \$1.60, and another set \$1.50; another set of Koreans \$1.56. We were paying in salaries to our storemen—we had 10 at that time—an average of \$262.50 per month.

Mr. KEARFUL. These storemen, were they natives?

Mr. LOUCKS. They were with the exception of the manager.

Mr. KEARFUL. How does that scale of wages compare, if you know, with that which was earned by the Mexican natives before your enterprise was started there?

Mr. LOUCKS. Before the Americans went to the Isthmus the Mexicans were working for anything from 16 centavos up.

Mr. KEARFUL. Up to what point?

Mr. LOUCKS. There was no established wage, because there was no labor. Just back of us in the State of Oaxaca they were paying 37 centavos a day in the mines and that was the maximum.

Mr. KEARFUL. Then would you say that the scale ranged from 16 centavos to 37 centavos?

Mr. LOUCKS. Yes.

Mr. KEARFUL. During the rule of Porfirio Diaz and Madero and Huerta, was there ever any trouble?

Mr. LOUCKS. We had trouble under the Madero administration. We had none except the usual difficulties that go with an enterprise of that kind in Mexico up until the time of Madero.

Our first difficulty with Madero was in connection with a certain class of labor which we were employing. It was called the enganche labor, a certain form of servitude. They were the criminal class which were gathered together in groups in various towns and were by the officials of the Government farmed out to various enterprises for a consideration.

The Madero government, as its first step of gratitude to the Mexican people, liberated all the prisoners including all classes, such as the enganche labor I have mentioned. That was the first step of the Mexican Government in liberating the Mexican people.

We had prior to this made individual contracts with all these men, all this class of men which we had on the plantation and the men were prepared to remain and willing to remain. The officials of the Madero government came to us and demanded that we release them, and not only demanded that we release them, but that they leave the place and that we appear at Santa Lucrecia and liquidate them. That was the first real trouble in the labor way.

Mr. KEARFUL. The men themselves were willing to remain?

Mr. LOUCKS. We had no trouble with them.

Mr. KEARFUL. They were under contract?

Mr. LOUCKS. They were under contract originally and then they were under individual contracts that we had made specifically with them.

Mr. KEARFUL. And they were willing to remain?

Mr. LOUCKS. They were willing to remain.

Mr. KEARFUL. Was there any hostility shown by the laborers against you or other Americans operating there up to the time of the fall of Huerta?



Mr. LOUCKS. None whatever.

Mr. KEARFUL. How many Americans did you employ on the plantation?

Mr. LOUCKS. We had something like 60—something like 50, I would say, at the time the Huerta difficulty took shape.

Mr. KEARFUL. What things were provided for the welfare and education of the people employed on the plantation?

Mr. LOUCKS. We had on the plantation a school and sometimes two; we had a hospital and an American physician with assistants; all medicines and supplies of that kind were furnished. Prior to the Madero administration we charged all of our employees, including the manager, 2 per cent for medicine and hospital services. After that it was all free to the natives, or free to all of our employees as a matter of fact. The houses were also free and all of the accommodations furnished by the company. They were of no expense whatever to the natives.

Mr. KEARFUL. What was the relative importance of the Tabasco Plantation Co. compared with other companies operating in that locality?

Mr. LOUCKS. I think I am justified in saying we were looked upon as the one of most importance on the Isthmus. We produced as high as 11,000,000 pounds of sugar for the crop year of 1911-12, which was our banner year.

Mr. KEARFUL. Did you operate under special privileges or concessions granted by the Mexican Government?

Mr. LOUCKS. We had no concessions and were asking none.

Mr. KEARFUL. Did you comply with the laws of the country in every respect?

Mr. LOUCKS. We complied with the laws and kept out of politics at all times.

Mr. KEARFUL. Did you ever take side with any faction or promote any revolution?

Mr. LOUCKS. None whatever. We kept ourselves very free and our instructions to our managers were always to have nothing whatever to do with the political side of the case.

Mr. KEARFUL. How much in money did your investment represent?

Mr. LOUCKS. The La Oaxaquena represents nearly \$2,000,000, and in addition to that we had an accumulation of nearly \$500,000 in working capital. Our property was paid for and, therefore, that should be added to our total investment.

Mr. KEARFUL. With respect to your outstanding obligations?

Mr. LOUCKS. We had none whatever except for current bills which were always liable to be for purposes for the store and small amounts like that, but no obligations of any kind.

Mr. KEARFUL. Which were liquidated—

Mr. LOUCKS. Whenever the bill matured.

Mr. KEARFUL. Was it a successful and profitable business?

Mr. LOUCKS. It was just coming to the point where it was profitable and we were to the point where we had hoped to pay quarterly dividends in 1912, and did so declare the first dividend in the year 1912 of 1½ per cent.

Mr. KEARFUL. When did your first trouble begin—with what event?

Mr. LOUCKS. Our real troubles, aside from what I have just enumerated, started about the 22d day of April, 1914, on the occasion of the American forces taking the city of Vera Cruz.

Mr. KEARFUL. What was your output of sugar at that time?

Mr. LOUCKS. We had just removed a crop of, I think it was, 62,000 tons for that season. We had the crop harvested and almost the entire product was stored in the warehouse, about 38,000 bags of sugar of 220 to 250 pounds each, besides the alcohol which was manufactured from the by-product of molasses.

With the occupation of the city of Vera Cruz by American forces we were immediately waited upon by officials of the Mexican Government and the first step on their part was to deprive us of our arms and munitions which had been granted up to this time. That was the beginning of our real difficulties.

Mr. KEARFUL. Before going into the description of your difficulties I will ask you if this is a tabulated statement showing the amounts of production from the year 1912 to 1918?

Mr. LOUCKS. Yes, sir; that is taken from the scale weights at the mill. It ranges from 72,525 tons for the year 1912 to 8,306.

Mr. KEARFUL. Let that be inserted in the record.

Year.	Finished grinding cane.	Total tons cane.	Total bags sugar sacked.
1912.....	June 8	72,525	50,732
1913.....	May 15	60,391	38,473
1914.....	Apr. 1	61,496	38,265
1915.....	July 12	44,331	26,164
1916.....	June 21	30,674	17,098
1917.....	Apr. 16	7,809	4,078
1918.....	May 22	8,306	.....

The above figures show the decline in production, year by year, since 1912, due to revolutionary conditions.

Mr. KEARFUL. I notice that the amount of cane is given for the year 1918 as 8,306 tons, as against 72,525 tons for the year 1912, and that the figure for the total bags of sugar sacked for the year 1918 is left blank. Does that indicate there was no production?

Mr. LOUCKS. Very little sugar was made in that year, and of such a nature that you could hardly call it sugar. Seventy-two thousand tons hardly represents our production for that year, owing to the fact that our men were partly taken from us.

Mr. KEARFUL. For the year 1912?

Mr. LOUCKS. 1912, and we failed to harvest nearly 600 acres which was ready for harvesting on account of having the labor taken from us by the Madero Government. We should have harvested that year approximately 100,000 tons.

Mr. KEARFUL. How did that compare with the year 1911?

Mr. LOUCKS. The year 1911 we harvested 60,000 tons. In the meantime we had put into crop about 1,300 extra acres, which was the reason for the larger crop of the next year, when that came into bearing for the first time.

Mr. KEARFUL. What production have you had since the year 1918?

Mr. LOUCKS. Relatively nothing. We are simply keeping a seed bed alive in order that we may have something to start the fields again if opportunity presents itself.

Mr. KEARFUL. Now, will you proceed in your own way to describe the difficulties that you encountered, beginning with the landing of the American forces at Vera Cruz.

Mr. LOUCKS. Our people were first ordered—our American employees were first ordered to the Port of Mexico by officials of the American Government as well as the officials of the Mexican Government. They proceeded to the Port of Mexico, were told to get on board a ship which was in the harbor, with the understanding that they would be landed again the next morning. Instead of being landed the next morning they were brought to Vera Cruz, and with the exception of our manager, our field superintendent and engineer, the balance of the party were brought to New Orleans by the American Government. They were landed there, and we were advised in Minneapolis that our employees were there.

Our manager, through his influence, or, rather, his acquaintance with some of the officers who were sent to Vera Cruz, got permission to land at Vera Cruz, and with him his field superintendent and engineer. He remained there for a period of about four months and tried through correspondence to take charge of the operations of the plantation. After several weeks he finally succeeded in getting our engineer back to the place under the British flag. I think it was about the 1st of October that our engineer considered it was safe for himself and his field superintendent to return.

Mr. KEARFUL. 1914?

Mr. LOUCKS. Yes. I want to say right here that our native employees were quite loyal to the company during this difficult time, and when we got back the only loss or destruction we could discover was in the administration houses, and that had been caused by the forces of the Government. Our employees had remained faithfully at work and were willing to stay and work.

Mr. KEARFUL. Without any American overseer?

Mr. LOUCKS. Without any American overseer, notwithstanding our Government was at war with Mexico. That will give you an idea of the relations between the company and its native employees.

Mr. KEARFUL. Did you ever have any difficulty in getting protection from Huerta while he remained in power?

Mr. LOUCKS. None whatever; and we were protected in every sense of the word, so much so that we had no complaints whatever to offer, and we carried on the operations at the plantation in absolute peace and security.

Mr. KEARFUL. Do you know of any hostility by Huerta or his Government toward any Americans before the taking of Vera Cruz?

Mr. LOUCKS. I do not, any more than that, I do not recall that a single American lost his life in Mexico during the Huerta administration for 15 months. I don't recall any.

Mr. KEARFUL. Even with the taking of Vera Cruz, Huerta protected the Americans?

Mr. LOUCKS. Absolutely. The officers who came to the place to remove the ammunition were as courteous to us as we could ask. They said they were doing it for our own good, because no one knew what might happen with the state of affairs going on, and what might happen if it continued to get worse. They regretted to do so, but were compelled by orders to carry out the plan.

Mr. KEARFUL. Please proceed to describe your operations from that time on.

Mr. LOUCKS. It would be a very difficult matter to describe what happened to us after that. I think it would make a story longer than I would care to tell or you would care to listen to, because it was continual. We could not do anything, seemingly, to satisfy the officials of the Carranza Government.

Mr. KEARFUL. When did the officials of the Carranza Government commence their operations in your locality?

Mr. LOUCKS. We began to feel the effects of them in August or September of the year 1914. At that time we were trying to ship some raw sugar to New York. Our first obstacle was when we assembled a cargo of sugar at the port of Mexico. It was raw sugar, and we asked for permission to ship it to New York. We were told by an official who represented the Carranza faction that he would not permit the sugar to go. He wrote us a very disagreeable letter stating his reasons, and we later took the sugar back to the plantation. That was the beginning of real hostilities.

Mr. KEARFUL. What were the reasons given for not permitting the sugar to go?

Mr. LOUCKS. He stated that we were raising the price of our sugar and that the native employees were being robbed. Until we came to the point where we were willing to reduce the price he would not permit us to ship any sugar abroad, notwithstanding all our sugar had been sold under contract, and we could not raise the price if we wanted to. As a matter of fact, all the sugar I just mentioned was sold by myself before leaving the plantation, with the exception of this little raw sugar—was sold under contract before I left the plantation. The price was agreed upon and the fact that the price rose in New York had nothing whatever to do with ours. I might add that some of the Yucatan merchants to whom I had sold took some of that sugar and reshipped it to New York at a profit, but we were not responsible. We sold that sugar in the month of April.

Mr. KEARFUL. What Government was operating in Yucatan?

Mr. LOUCKS. I am not prepared to state. Most of our product went to Yucatan.

Mr. KEARFUL. It was Carrancista?

Mr. LOUCKS. It was Carrancista.

Mr. KEARFUL. There was absolutely no truth, then, in the position?

Mr. LOUCKS. Absolutely no truth or justice. We had absolutely no sugar to sell at that time except some raw sugar that you could not use without it being refined, and that was being sent to New York.

Mr. KEARFUL. When were the first depredations committed on your plantation?

Mr. LOUCKS. In 1917 the first raid took place.

Mr. KEARFUL. Was that by the Carrancistas?

Mr. LOUCKS. It is hardly fair to say that the first was then. I have a schedule here showing when we had visits of other elements in the district which were called by the Carrancista forces bandits. It is very difficult to consider our position without taking these matters together.

April 24. This happens to be a deposition by our assistant manager, Mr. F. W. Moore, now deceased, who was with the company for many years and had charge of all confidential matters. This shows that on April 24, 1916, or two days after the American forces had landed in Vera Cruz, there were 1,164 cases of alcohol, of 34 liters each, confiscated by one Maj. Jose M. Figueroa, chief of garrison at Santa Lucrecia. That appears to be the first loss.

Mr. KEARFUL. Was that a Carranza garrison?

Mr. LOUCKS. That was under Huerta. That was shortly after Huerta started out.

Then there is the taking of the guns. I have a detailed list here of the amounts taken.

Mr. KEARFUL. I had reference to actual depredations by bandits.

Mr. LOUCKS. I want to take these in their order, but we will come to that.

Mr. KEARFUL. Very well.

Mr. LOUCKS. On October 31 was apparently the first clash in a dollars-and-cents way with the Mexican Government.

Mr. KEARFUL. What year?

Mr. LOUCKS. 1914. We had purchased about 20,000 pesos of stamps which have to be attached to the bills of lading; we had purchased them from the Government in the regular way, paid for them, when we were advised by the officials in Mexico City that there was a new issue of stamps and we would have to exchange what we had on hand for those that were to be used from then on. This involved about 6,000 pesos. We asked that they be good enough to make the exchange for new ones, and they told us no. Considerable correspondence took place, and they finally told us they would give us 10 days, I think it was, to return the stamps or be fined in the sum of 15,000 pesos, as I recollect it.

I took the manager and the stamps and visited the City of Mexico and presented the entire matter to the Brazilian minister, who was then acting for our interests in Mexico. That appears to be the first loss. I might add that we never got anything out of it.

Now, we come to 1915, June 30, cash for the bandit Alor. That was before any Government was recognized. The first was for 500 pesos on the 30th of the same month.

Mr. KEARFUL. Was that tribute exacted?

Mr. LOUCKS. That is payment to them, as they claim, for the protection of our shipping up and down the river. These bandits were in control of the river and the river was our only means of transportation. They stated to us if we would assist them in their military organization they would protect our shipments. There was very little left for us to do but comply.

On June 30, 2,000 pesos; on August 6, 10, 14, 24, 26, 27, 28, 30, 31—twice on the 31st—they appeared at the plantation taking various articles, a list of which I have here, and all of which was receipted for by them. Again in September of the same year, October, November, December, at various times they appeared at the place and took from the store goods amounting in all to 9,136.76 pesos.

In December of the same year I find a charge for Carrancista soldiers at the plantation of 799.98 pesos.

Mr. KEARFUL. That represents the garrison?

Mr. LOUCKS. That represents the garrison which we were supplying with food. In June to December, 1915, estimated value of bedding and other articles stolen from plantation clubhouse by Alor's bandits, 1,262 pesos.

February, 1915, to fine imposed by civil judge at Minatitlan for violation of labor law, 500 pesos. I might add in that connection that after much controversy the judge told us that we were not culpable, but the fine was never returned.

Mr. KEARFUL. What was the charge? With what crime were you charged?

Mr. LOUCKS. I do not recall. It was some violation of the new labor law; I don't recall just exactly what that charge was, but it later proved that it had nothing to do with our men but with some of the contractors' men who were on the plantation. We employed several contractors and they had under their jurisdiction their own particular body of men. The matter was taken up with the military authorities at Vera Cruz and was finally adjusted in this fashion, that while the company was not culpable and should not be fined the 500 pesos, in view of the fact the law had been violated on our place by the contractors the contractors should be fined 200 pesos each—I think it was five of them—and that the company should see that the fine was paid. So we got further into trouble by talking about it.

On August 13, 1915, Mr. E. F. Wells, our auditor, was returning from Vera Cruz to the plantation, bringing with him money belonging to the plantation to the amount of ₱10,000. His train was assaulted by bandits and Mr. Wells killed and the money carried away by the bandits. On leaving the plantation for Vera Cruz a few days before Mr. Wells took with him a draft belonging to the plantation to collect same, which he did, but as he could not report the disposition of the money it was lost to the plantation. The amount of this draft was ₱1,003. That is in excess of the ₱10,000.

I think I will read the balance here, because it will give you an idea of the difficulties we were encountering.

January 14, 1916, Amduring & Co., of Vera Cruz, reported they had attempted to resell the sum of \$460 in bank bills which Mr. Fouché, our employee, had left with them for that purpose; that \$325 of the amount was rejected as counterfeit, but not returned to the company. Whether the bills were bad or not I do not know, but they were in forcible circulation and it was a crime to refuse to accept the money in circulation.

That will give you an idea of the difficulties. We were compelled to bring money of one kind or another to certain places to have it revalidated. We would hand it to an official and he would tell you to come back at 2 o'clock. Perhaps he would be there when you came back and perhaps he would not, and he would hand you whatever he saw fit and no questions were to be asked.

Mr. KEARFUL. Was any question raised as to whether the money was counterfeit?

Mr. LOUCKS. There were no questions answered or asked by the officials. It was simply handed to you; nothing whatever said about their being counterfeit.

Mr. KEARFUL. Would they exchange the actual amount?

Mr. LOUCKS. Oh, no; nothing was given in return. They simply handed you back what they saw fit.

Mr. KEARFUL. Would that be considerably less——

Mr. LOUCKS. Always less.

Mr. KEARFUL. No reason was given for that?

Mr. LOUCKS. No; in this country we would call it plain stealing.

March 18, 1916, another fine for violation of labor law imposed by Civil Judge Luis Selana, of Santa Lucrecia, Vera Cruz, amount deposited. Appeal demanded to the governor of the State. No decision up to date, April 29, 1916.

I just want to say a word of explanation. Shortly after the Carranza force came into power we were visited by a labor inspector, who immediately set about to discourage the men and disorganize the work at the plantation, and he was very successful. He got the men to the point where they did not consider they had any obligation to the company, where they did not have to work if they did not wish to; and he went so far as to tell them that they could not be ejected from the houses if they did not work.

Mr. KEARFUL. Houses that belong to the company?

Mr. LOUCKS. Houses that belonged to the company.

Mr. KEARFUL. And that they were occupying free of charge?

Mr. LOUCKS. That they were occupying free of charge, which placed us in a position where it was next to impossible for us to operate, because there was a certain element there that was willing to take advantage of that situation. This fine that I am speaking of was the result of another visit of—I think the man's name was Llano. He came to the place, accepting our hospitality, even borrowed \$200 from the manager, stayed there several weeks. We tried to show him how we were endeavoring to operate and make work for the natives. We did all we could to satisfy him and them. He left the place.

A few days later our manager was ordered to appear at Santa Lucrecia, and this 1,000 pesos of fine was imposed as a result of this man's visit, and these were the charges: They fined us 200 pesos because some laborer reported that he had worked after 6 o'clock; 200 pesos because we did not have separate schools on the plantation where the boys and girls could go separately; 200 pesos because in his judgment the hospital was not up to legal requirements.

Mr. KEARFUL. There were schools and hospitals that were maintained by the company free of charge?

Mr. LOUCKS. By the company, and that we furnished at a cost of probably 5,000 pesos a month.

Mr. KEARFUL. That was voluntary on your part?

Mr. LOUCKS. Yes.

Mr. KEARFUL. There was no law requiring you to do it?

Mr. LOUCKS. Yes; there was a law at this time. You had to furnish the hospital free. The new law of Mexico, I think, provides that any plantation employing more than 200 men must provide all this, and we came under that law.

Mr. KEARFUL. But you had established those things before the law was passed?

Mr. LOUCKS. Oh, yes; long before that.

Two hundred pesos because some employees had appeared at the plantation with nothing to eat, unfit to work, and before going to work our manager had given them an order on the store to get something in order to keep them alive. Two hundred pesos because we

were liquidating the men, or paying the men, rather, every 10 days instead of every 7 days, as the new law required, notwithstanding we had the written consent of the previous governor of the State of Vera Cruz to pay every 10 days, owing to the fact it was almost impossible to get the money to the plantation.

That will give a good idea of the assistance the Carranza Government was trying to give us in those parlous times. I learned later that this inspector received 40 per cent of the fines, and that showed where his interests lay.

June 15 to January, damage caused by losing our steamer and time lost when boat was detained, 3,146.17 pesos.

To damages since January to April 6, 1916, by boat not running on account of danger to be incurred, he still dominating the river, 8,506.74 pesos.

I might say that during this period the Carranza Government had sent a general to the plantation for the avowed purpose of cleaning out the bandits down the river. His name was Col. Silva. He had a detachment of about 40 or 50 men. He requisitioned our steamboat and our barges and started down the river. They got in sight of where the bandits ought to have been, turned around, and came back to the plantation. Now, to give you a better idea of the way things were going in that district, that same Col. Silva wound up by using our boats and barges to transport hides and stuff which the bandits were furnishing him to sell at, I presume, a divvy, and instead of cleaning up the bandits they were cleaning up the farmers in that particular district. The last I knew the Carranza Government had Col. Silva in jail.

Mr. KEARFUL. You do not know what they did with him?

Mr. LOUCKS. No: I do not know what they did with him. They then sent a fellow by the name of Villamar. He is the only man I ever saw in the Carranza army who looked like a soldier. He was an old Chapultepec man and apparently a fine fellow. He was taken by another Carranza officer and invited to dine with him and wine with him and taken on the hill and shot. Now, his chief offense was, so far as I can learn, that he was an old Porfirio Diaz man.

I am telling these instances of what happened up and down the river so you will get this connection, that the Carranza government, instead of exterminating the bandits, was only stirring up antagonism for our company. We, at that time, were in perfect good standing with the bandits who were operating up and down the river, but when they saw our boats being used by the Government soldiers to come down and shoot their men—and, I believe, as a matter of fact, there were three or four men killed, they then swore vengeance on the Tabasco Plantation Co. for allowing their boats to be used for that purpose. You will now see how we found ourselves between the two millstones to be ground out of existence.

Mr. KEARFUL. You had a garrison of Carranza soldiers on the estate?

Mr. LOUCKS. That appears to be the next item: Rations issued to soldiers who were garrisoned on plantation La Oaxaquena, 5,773 pesos.

Mr. KEARFUL. That was a direct payment made for special protection?



Mr. LOUCKS. That was rations given to them for protection.

Mr. KEARFUL. What protection did they afford?

Mr. LOUCKS. They got us into more trouble than they ever got us out of. They were the chief cause of our trouble. They could neither protect us or prevent us from getting into conflict with others.

Mr. KEARFUL. What operations they conducted against the revolutionists resulted, as I understand you, in further reprisals on the part of the rebels.

Mr. LOUCKS. Antagonism and reprisals.

Mr. KEARFUL. And reprisals by the rebels would result in further incursions by the Carranza soldiers?

Mr. LOUCKS. Further nonsense. Put it that way. In fact, the rebels demanded of us that we get the soldiers off the plantation and they stated to us at the same time, "We will give you ample protection." And I might say, in passing, so long as the friendly relations existed the only loss to the company was the matter of a few pesos now and then.

Mr. KEARFUL. The rebels did afford you protection so long as the Carranza soldiers stayed away?

Mr. LOUCKS. So long as the Carranza soldiers stayed away. That later became our reason for being obliged to close down because it was impossible to operate, situated as we were on the river with our only means of transportation going up and down the line which was controlled by the bandits. This made it impossible to operate successfully without the consent of the Carranza government.

Mr. KEARFUL. When did you finally close down?

Mr. LOUCKS. The 1st of May, 1917.

Mr. KEARFUL. What action was subsequently taken with reference to an attack upon your titles by the Carranza government?

Mr. LOUCKS. During the month of September, 1918, we were notified by our representative in Mexico City by wire that the original concession from which our property was derived had been declared canceled by the Carranza government and we were given until the first day of October of the same year in which to appear before the Department of Fomento and take up the matter of revalidation; failing to do so the property would revert to the Mexican Government. That came to Minneapolis by wire about the 20th of September, 1918.

Mr. KEARFUL. What was it necessary for you to do in order to revalidate your titles?

Mr. LOUCKS. The first thing I did was wire the substance of the letter to the State Department at Washington and request a night-letter reply. That was the first step. I then wrote our representative in Mexico City to await the advice from Washington.

I might say that I wired—as soon as the reply came—I wired the substance of the reply to our representative in Mexico City and sent a confirmation in a closed envelope. In the course of time I received a reply stating that the letter came but the wire never reached them; it had been intercepted by the Mexican Government.

Mr. KEARFUL. What was the requirement of the Mexican Government with reference to revalidation?

Mr. LOUCKS. They asked that we must waive our nationality right and prove title to the property. We corresponded back and forth

for months. They finally asked for the deeds, every bit of evidence having to do with the purchase of the property, and while doing this they took up the matter with our local representative at the plantation and submitted a set of questions which they requested that he answer categorically. As soon as I discovered what was going on I wired and stopped that information coming from that end. One of the questions they wanted answered from him was when we closed down operations and why we closed down operation, how many employees we had on the plantation, what was the nature of our operations and the magnitude of our investment, stating as they did that they wanted this information in order to give a firm reply to an inquiry which had come from the State Department at Washington, D. C.

Mr. KEARFUL. What did you understand was meant by a waiver of national rights?

Mr. LOUCKS. Agree to comply with the provisions of article 27, which states that no foreigner can ask for assistance from his Government in case of trouble with the Mexican officials upon penalty of losing his property in case of violation.

Mr. KEARFUL. If your property was taken or destroyed you would have no recourse to your own Government?

Mr. LOUCKS. Absolutely.

Mr. KEARFUL. What was the outcome of that?

Mr. LOUCKS. Eventually the Carranza government issued a manifesto in the *Diario Oficial*, a paper which is published in an official way, stating that the Tabasco Plantation Co. was the present owner of the property La Oaxaquena; that all officials would take due note of that fact. I might add that we did not waive our nationality rights.

Mr. KEARFUL. While this negotiation was pending was there any proposition made by third parties as to fixing the matter up by the payment of a sum of money?

Mr. LOUCKS. The suggestion was made that for 10,000 pesos they thought the matter could be settled or handled.

Mr. KEARFUL. Did you accede to that proposition or entertain it?

Mr. LOUCKS. None whatever.

Mr. KEARFUL. You did not pay any money?

Mr. LOUCKS. None whatever excepting the costs and attorney's fees and necessary expense; considerable money, but none for tribute. I could not say that that came from the head of the Mexican Government. Matters of that kind are handled in such fashion in Mexico that you never can get to the real source. But that was the suggestion that was made to us.

Mr. KEARFUL. Did you ever encounter Luis Cabrera in connection with any proposition to extort money from your company?

Mr. LOUCKS. Yes, sir.

Mr. KEARFUL. When was that?

Mr. LOUCKS. That was the first extorting.

Mr. KEARFUL. Who is Luis Cabrera?

Mr. LOUCKS. At the present time I think he is minister Fomento. He was at that time, I believe, minister or acting minister of finance, or the treasury, of the Mexican Government when they were stationed at Vera Cruz. It happened in the latter part of the year 1914 we had

shipped a small consignment of raw sugar to New York, there being no export duty at that time. A few days or weeks after the shipment was made the Carranza organization imposed an export duty on raw sugar. Mr. Cabrera as acting minister, wrote us that we would have to send at once the sum of \$2,500 in United States gold as duty on the last consignment which we had sent. This led to much controversy and corresponding, and he finally wrote us in January following that in view of the fact there seemed to be misunderstanding he would modify that to the extent of making it \$1,800 United States gold and demanded that the money be sent at once under the pain of having the law applied in case we refused.

Mr. KEARFUL. What did you understand him to mean by that?

Mr. LOUCKS. I turned to our assistant manager, happening to be at the plantation, and I asked him what that meant. He said he assumed it meant the gun.

Mr. KEARFUL. Did you comply with that demand?

Mr. LOUCKS. No, sir.

Mr. KEARFUL. And what resulted?

Mr. LOUCKS. I think in about 30 days we were advised the debt had been pardoned. Hardly was that out of the way when we were approached from another angle by another set of officials who demanded we pay the Mexican Government a very large sum for a transaction that grew out of a government decree of 1906 by the terms of which Porfirio Diaz's government sent quite a number of Yaqui Indians from the State of Sonora to the Isthmus. Among our employees we finally made arrangements to have about, I think there were 260 all told, including men, women, and children of this group sent to our plantation. This was all handled through the office of Casassus, who was our legal adviser at that time and handled in a perfectly legitimate way directly with the Mexican Government. That demand grew until it finally assumed a proportion of between 200,000 and 300,000 pesos.

Mr. KEARFUL. What was the nature of the demand?

Mr. LOUCKS. It seems at the time those Yaquis were sent to us they were prisoners of war and the arrangement was that we should take them, and correspondence shows that the first thing we should do was to doctor them, get them back into shape where they were able to work. They were mostly diseased. And then they should work for us for a small consideration as wards of the Government. It cost us about 15,000 pesos transportation and for payment of the heads of the families to get them to the place. Many of them died, most of them ran away, and but few of them remained to do much active service. The officials representing the Carranza government discovered that some of those Yaquis were still at our plantation, the very young, I think about seven of the next generation or some of the younger fellows; they finally made their demand in the form of one peso a day for every man, woman, and child for the entire 365 days of the year plus 6 per cent interest from the time they had arrived at the plantation until the Madero government came into being. The sum total was between 200,000 and 300,000 pesos and this demand was made on us, that we pay at once to avoid serious consequences. We had and we have yet no way of knowing whether the Carranza government was responsible for this demand, but the demand was made just the same.

Mr. KEARFUL. By Carranza officials?

Mr. LOUCKS. By Carranza officials.

Mr. KEARFUL. Was that demand scaled down when they found they could not collect the full amount?

Mr. LOUCKS. That was reduced until we were finally presented with the suggestion that 37,000 pesos would settle the entire deal.

Mr. KEARFUL. Did you pay it?

Mr. LOUCKS. No portion of it. We got the information in the hands of the State Department at Washington and a copy of it in the hands of the Carranza government as soon as possible, and from the correspondence I have it would seem the State Department inquired of the Mexican Government what law they were applying in our case, and there the matter dropped.

I cite this to show you the antagonism that seemed to be from the very beginning. As a matter of fact, we were told by one of the minor officials who visited the place in 1916 that if it were not for the fact that we were working under concessions of the Porfirio Diaz government they would feel more like giving us protection.

Mr. KEARFUL. What concessions did you have from the Porfirio Diaz government?

Mr. LOUCKS. I never knew to this day. The only thing that I can discover that was in the nature of a concession was the fact that by stipulation of law we were not required to pay any tax on the machinery we used in the buildings. That was exempt by law from tax.

When the Carranza government came into power they taxed our buildings, the machinery, and everything that went with it, and added 1,000,000 to the tax list.

Mr. KEARFUL. That exemption from taxation, as I understand it, was extended as an inducement to start the enterprise and build it up?

Mr. LOUCKS. That was it exactly, and it is now admitted by the present officials, because we are still in controversy over our tax and a few days ago we had a letter from one of the minor officials calling the attention of the others to the fact that the discrepancy was that we had apparently been overtaxed; that according to the law of eighteen hundred and eighty-something, I believe it was, the machinery should not have been taxed for the reasons which you have just stated; neither were the buildings to be taxed, because they were given to the employees at no cost to them—the buildings on the plantation. That is the only concession I have in mind or could ever think of that they referred to, but they seemed to be under the impression that we were favorites in some way of the Porfirio Diaz government.

Mr. KEARFUL. Have any of the buildings on your plantation been destroyed?

Mr. LOUCKS. Many of them have been.

Mr. KEARFUL. Are you able to conduct any operations there now?

Mr. LOUCKS. No, sir; we have a caretaker, a few employees and watchmen to look after the buildings; that is all.

Mr. KEARFUL. What do you know about instances of graft on the part of Carranza generals in reference to shipments of cattle and other commodities out of Mexico?

Mr. LOUCKS. Our attention was called to matters of that kind in various ways. In the year 1915 there was an officer appeared at the plantation with a few soldiers and stated that it was his purpose to remain at the plantation and recruit men for the service. We tried to explain to him that it was the only time we had for harvesting the crop, and as we only had about one-third of a crew it would be very serious not only to us but the men. He relieved himself by saying "To hell with your plantation. I am here for myself." That was about the beginning of our knowledge of what was going on inside of the Carranza organization. He then perfectly frankly stated to us that he was there for the purpose of getting our men, and he further stated that for every man he got to enlist he would get so many pesos and for every certain number of men he got he was to get an addition to his shoulder straps.

Now, he was willing to take his pay in Carranza money. He recruited about 100 men. He further stated to us, and that might be of interest to note right here, because it will give the scheme of the Carranza organization at that time. He said, "The purpose of my government is to get 100,000 people assembled and we are then going to demand recognition by the United States Government, and my part of it is to get as much out of it as I can." He told the young men that he induced to go—he said, "There will be no fighting; that is not the intention. You can ride up and down the trains; you will have your wife with you, you will have occasion to take part in what is going on if there is any looting going on, and you will generally have a good time."

I saw boys that had been with us from almost their childhood leave with their wives and babies to join the Carranza army. A few days after they were back at the place.

A short time after that we were notified by an official that no native foodstuffs, such as rice, corn, and beans, could be shipped from one canton to another without permission from the officials. We then discovered that it was for the purpose of the military organization having control of the State of Vera Cruz to assemble those foodstuffs for themselves, which they did in large quantities, both at Puerto Mexico and Vera Cruz. At that time the country as a whole was at the point of starvation and there was an embargo by the Carranza organization that no foodstuffs should be shipped out of the country. Notwithstanding that fact, I personally saw large consignments of beans and corn, rice, and hides sent to the city of Vera Cruz and landed at Habana by permission of the Carranza officials. The cattle were gathered together in large groups at Vera Cruz and were taken by the shipload to Habana, Galveston, Texas City, and New Orleans. Now, they were not stolen by the Carrancista officials; they were paid for according to the amounts which the parties at Vera Cruz that had concessions for doing this were willing to give.

I recall at that time they were paying about 40 pesos for Carrancista money, which had small value, if any, for the cattle. I do not know what they paid for the beans, but I know they gathered them up in large quantities under the pretext that the Carrancista Government was in need of them for the soldiers. Carranza's son-in-law was the military governor of Vera Cruz at that time.

Mr. KEARFUL. Candido Aguilar?

Mr. LOUCKS. Aguilar, and had full charge of the operations.

Mr. KEARFUL. What sort of money was paid for the food products?

Mr. LOUCKS. The paper money issued by Carranza. I was in Mexico just a short time after that and talked with an American, a planter, whose name I do not care to disclose, who happened to have charge of the relief work for the City of Mexico. He told me that the American colony raised a fund of several thousand dollars, hired a man to go to one of the adjoining States to gather up several carloads of corn and bring it to Mexico to relieve the destitute there. After assembling the corn every bit of it was taken by Obregon, who was Carranza's chief general.

Mr. KEARFUL. What sort of money was received for those products by the authorities who shipped them?

Mr. LOUCKS. I presume they received good money; they were sold in Habana and in the United States of America. There were tens of thousands of heads of cattle sent out of the city of Vera Cruz by the same officials and sold for American gold at the very time when the people in Mexico were starving for the want of meat and at the very time when our own Government was asking the people of the United States to send food to the starving in Mexico.

Mr. KEARFUL. What particular thing was resorted to in reference to the gathering up and shipment of hides?

Mr. LOUCKS. The first step taken by the company in Vera Cruz which had the concessions for the State of Vera Cruz—and, by the way, they were relatives of the Carranza government—was to get control of all the salt. It being very warm in that country, it is impossible to keep a hide for but a few days without salt immediately. There was an embargo placed upon the exportation of hides. The agent of this Reguladora was then sent out to gather up all the hides of the natives, who were obliged to sell at anything they were willing to offer for them rather than to have them spoil on their hands. As soon as a cargo of hides was gathered at the port of Mexico or Vera Cruz the embargo was lifted for a period of 10 to 15 days until the hides were shipped out, and the embargo was on again. By this process the people were robbed of their hides as well as they had been robbed of their corn and their beans, and their good money had been taken by practically the same process. It was a crime punishable by death to have real good money in our possession at the plantation.

Mr. KEARFUL. What do you mean by real good money?

Mr. LOUCKS. I mean silver or hildalgos, or gold that had formerly been in circulation in Mexico during the time the paper money was in vogue.

Mr. KEARFUL. You say it was a crime punishable by death to have it in your possession?

Mr. LOUCKS. To hoard real money.

Mr. KEARFUL. What were you supposed to do with it if you had it?

Mr. LOUCKS. Turn it over to the Government in exchange for money in circulation then.

Mr. KEARFUL. Well, that money in circulation, while it passed current at some value for a time, finally became absolutely worthless?

Mr. LOUCKS. It became absolutely worthless. We were left with 172,000 pesos on our hands.

Mr. KEARFUL. Which you had been forced to take?

Mr. LOUCKS. Which we had been forced to take in payment for our products.

Mr. KEARFUL. What was the penalty for refusing to take that sort of money?

Mr. LOUCKS. The same penalty. Imagine, if you can, people in the City of Mexico hiding in cellars and wells to keep from accepting paper money in payment of legitimate obligations. I personally was told by a foreigner in the City of Mexico that he had retired an obligation on his plant of 25,000 pesos for about \$1,700. He further told me that he had purchased a home that belonged to Mexicans and originally cost 45,000 pesos for 3,700 by the process of turning over Carranza money, which was later declared of no value whatever.

Mr. KEARFUL. Upon what class of the people in Mexico did the burden of this fiat money mostly fall?

Mr. LOUCKS. Upon the working people and the small merchants and the small farmers who owned a little farm and had anywhere from 500 to 10,000 pesos in property. They were literally cleaned out.

Mr. KEARFUL. Do you perceive any distinction between taking a man's labor for nothing or stealing his merchandise or property and the exacting of such labor, merchandise or property in exchange for money that subsequently becomes worthless?

Mr. LOUCKS. I see no difference whatever. I can see no difference whatever. We had so many different kinds of money that it took an expert, and we had a man in the office who was practically reading the money continually to know what to accept and at what price. With an organization such as we had there, being obliged by the requirements of the labor law to pay the men individually and every Saturday night, you can readily appreciate what it meant to us trying to find actual money to pay the men. It was a simple matter to get a \$1,000 bill, and it was just as easy to make a \$1,000 bill as a \$1 bill, because it did not cost any more for the paper or to print it, but we were bound to split those up and compelled to pay a bonus in order to get the small bills. Mr. Wells before he was murdered put in practically all his time scurrying around the country trying to gather up small bills in one, two, and five peso denomination, and in all the time we had absolutely no assistance from the Mexican Government. They would not let us pay the men out of the store and keep them that way, but compelled us to pay them every Saturday night, and for violation fined us, as I just reported to you.

Mr. KEARFUL. Were all your trials and tribulations reported to the State Department?

Mr. LOUCKS. They were not categorically, but most of them were. We kept the State Department in touch at all times with our situation and reported exactly what was going on.

Mr. KEARFUL. What advice did you receive as to how to proceed?

Mr. LOUCKS. We did not receive any advice. The only advice we received was that the letter had been received and would be passed on.

Mr. KEARFUL. Did you receive advice more than once to get out of the country?

Mr. LOUCKS. Oh, yes; and up to this day we have never had that rescinded, although I have asked the State Department if they were

prepared to rescind that order. And I might add here that the last time our manager left the country he was obliged to sign a waiver that if he returned to Mexico the Government of the United States would not protect him any further.

Mr. KEARFUL. He was obliged to sign that waiver in order to get a passport from this country as an American citizen?

Mr. LOUCKS. No; he wanted to return to Mexico and in order to return he was obliged to sign that waiver.

Mr. KEARFUL. He was an American citizen?

Mr. LOUCKS. He was an American citizen.

Mr. KEARFUL. Advised by the State Department to sign that waiver?

Mr. LOUCKS. I do not know whether it was the State Department; it was through the consul.

Mr. KEARFUL. Did the State Department make any representations upon the rights of Americans to go back to Mexico to attend to their business without signing such a waiver?

Mr. LOUCKS. That I do not know. The only relations I have personally had with the Government was to get a passport on the occasion of my last visit to Mexico. I received a passport after going through the usual process. I went to Mexico and returned to Minneapolis, and since then I have not asked the State Department for any suggestions.

Mr. KEARFUL. What sort of a waiver did you have to make in order to get that?

Mr. LOUCKS. I made none, except to state what my business was and how long I intended to be there and when I would return.

Mr. KEARFUL. Did the Mexican consul require you to sign a waiver?

Mr. LOUCKS. No, sir.

Mr. KEARFUL. From your experience in Mexico, what do you consider to be the basis of the present Mexican Government—what is it founded on?

Mr. LOUCKS. Personally, I believe it goes back to the remark made by Secretary Bryan when he was Secretary of State shortly after the inauguration of the present administration. He made this statement: "The Government of the United States will not lift its finger on behalf of Americans or their money invested in Mexico."

That was known in Mexico inside of 24 hours. The next step was when the President of the United States in one of his noble speeches referred to the Americans in Mexico as a mere handful of promoters who had gone to Mexico for the purpose of exploiting the people and the resources of the country.

Those two things in themselves were quite enough to bring about the present situation so far as the Americans are concerned.

Mr. KEARFUL. So far as the Mexican people are concerned, what is the basis of the Mexican Government?

Mr. LOUCKS. The basis?

Mr. KEARFUL. Yes.

Mr. LOUCKS. What it is founded on, do you mean?

Mr. KEARFUL. Yes; what enables the ruling body to remain in power aside from the operations of this Government?

Mr. LOUCKS. It was brought together by promise of loot; it is held together by graft. It has as its fundamental principle the pun-



ishment of any and everybody that ever had anything to do with the Porfirio Diaz government or is opposed to the present administration.

Mr. KEARFUL. Do you know of other sugar plantations in Mexico besides your own that are in similar condition?

Mr. LOUCKS. I know of others that have been put out of business completely.

Mr. KEARFUL. Some worse off than yourself?

Mr. LOUCKS. Well, it would be difficult to be much worse off than we; but some who have not attempted to operate for several years; some who had abandoned them entirely.

Mr. KEARFUL. During the time that these plantations have not operated what has been the necessity for sugar in Mexico?

Mr. LOUCKS. Mexico has for the past four years been pleading for sugar. For the past three years they have almost been on their knees begging for sugar. Two years ago, while we were being put out of business, the Government of the United States exported to Mexico a little more than 13,000 tons of sugar; Cuba at the same time exported to Mexico between 6,000 and 7,000 tons, or a total of 20,000 tons.

Mr. KEARFUL. Normally——

Mr. LOUCKS. Normally, Mexico was exporting thousands of tons of sugar. The State of Vera Cruz alone produced a maximum of 52,000 tons in normal days, and the State of Morelos 48,000.

Mr. KEARFUL. You have been aware of very stringent shortages of sugar in this country recently?

Mr. LOUCKS. Yes, sir.

Mr. KEARFUL. Do you think that would be affected if the sugar was allowed to be produced in Mexico as it was under Porfirio Diaz?

Mr. LOUCKS. Quite naturally; quite naturally. I want to add right now that the sugar that was purchased by the Mexicans and sent from the United States was paid for very largely by money extorted or robbed from the Americans in Mexico, for the Government has been very, very close to all of these transactions.

Mr. KEARFUL. You knew John Lind, did you not?

Mr. LOUCKS. Yes, sir.

Mr. KEARFUL. He was a representative sent to Mexico by President Wilson to eliminate Huerta?

Mr. LOUCKS. Yes, sir.

Mr. KEARFUL. Where did you know him?

Mr. LOUCKS. I knew him first as the governor of the State of Minnesota; later as a fellow townsman of the city of Minneapolis.

Mr. KEARFUL. Did you meet him in Vera Cruz?

Mr. LOUCKS. I never met him in Vera Cruz; some of our people have, but personally I never took the pains to call on him.

Mr. KEARFUL. You did not advise with him about your troubles while you were at Vera Cruz?

Mr. LOUCKS. Others of our company did.

Mr. KEARFUL. Your company did?

Mr. LOUCKS. Yes, sir.

Mr. KEARFUL. Do you know what advice he gave your company in regard to what you should do?

Mr. LOUCKS. His advice was that we support Carranza.

Mr. KEARFUL. At all events?

Mr. LOUCKS. Yes.

Mr. KEARFUL. Do you know when the great sisal monopoly of Yucatan was formed?

Mr. LOUCKS. Yes, sir.

Mr. KEARFUL. When was that?

Mr. LOUCKS. I believe it was in the year 1915. I am not certain whether it was in 1915 or 1916. I believe it was in the month of September. I recall distinctly when it was, but I would not say as to those two years. It is a matter of record, anyway. It was while Mr. Lind was in Mexico, whenever that period was. That would be 1915.

Mr. KEARFUL. 1914.

Mr. LOUCKS. 1914. Well, it was whenever he was in Mexico, you can fix it from that.

Mr. KEARFUL. What connection, if any, did Lind have with that transaction?

Mr. LOUCKS. Personally, I could not say.

Mr. KEARFUL. You do know that his son was given an important position at the time of their organization, do you not?

Mr. LOUCKS. It has been so stated and published in our local papers on several occasions since then.

Mr. KEARFUL. He has not denied it, has he?

Mr. LOUCKS. No, sir.

Mr. KEARFUL. You know something about the operations of that monopoly, do you not?

Mr. LOUCKS. Yes, sir.

Mr. KEARFUL. Will you describe them as far as you know? They have been given here in evidence to some extent before.

Mr. LOUCKS. So far as the American end of the proposition was concerned, I have been advised that the first step was the creation of a fund of \$10,000,000 which was to be for the purpose of protecting shipments and bills of lading, etc., a guaranty, as it were. The money, I believe, was furnished by bankers of New Orleans. I was further advised that the first \$5,000,000 of this money was paid to Mr. Carranza personally for the privilege of pulling off the deal.

Mr. KEARFUL. Do you know the name of the general who was operating in Yucatan then under Carranza—Salvador Alvarado?

Mr. LOUCKS. I do not know the man personally; I know he was the man in charge, and I have talked at various times with people who were there, but personally I was never in Merida. I do know that was the beginning of the sisal trust.

Mr. KEARFUL. But the monopoly was operated under the directions and for the benefit of Salvador Alvarado?

Mr. LOUCKS. That is my understanding.

Mr. KEARFUL. A Carranza general?

Mr. LOUCKS. Yes, sir. I do not wish to cast any aspersions, but there seems to be somehow a connection between the events which have just been enumerated.

Mr. KEARFUL. Did you ever see a booklet published by John Lind entitled "The Mexican People"?

Mr. LOUCKS. I don't recall; I have seen much of his sayings, but I don't recall that particular book.

Mr. KEARFUL. That was published in this country about December, 1914, after Mr. Lind returned from Mexico.

Mr. LOUCKS. I recall, and I remember some of our people went to call on him in the city of Minneapolis and talked with him and his opinion then was exactly the same as when he was in Mexico; there was nothing to do except to stand by Carranza. My personal conviction is that Judge Douglas and John Lind were largely responsible for the recognition of Carranza. I never thought any different.

Mr. KEARFUL. By Judge Douglas you mean Charles A. Douglas?

Mr. LOUCKS. Yes.

Mr. KEARFUL. Attorney for Carranza?

Mr. LOUCKS. Attorney for Carranza.

Mr. KEARFUL. Have you been informed that after Mr. Lind returned from Mexico and about the time of Carranza's recognition by this country Lind was on the pay roll of the Carranza government?

Mr. LOUCKS. No, sir; I know of ways of doing things in Mexico, and I can readily understand how that might have been the case.

Mr. KEARFUL. What is your view about the truth of the statement emanating from high official sources that American citizens in Mexico are not entitled to consideration because they were engaged in exploiting the Mexican people?

Mr. LOUCKS. I have pointed out as in the matter of our employment, our treatment of the labor, the amount that we were paying them for their daily wage, that there is absolutely no truth in that so far as our company is concerned, and I want to answer that I know of no Americans in Mexico that have treated their Mexican employees badly. I know of many cases where stockholders have been defrauded, but they were stockholders in the United States. In the olden days when I first began going to Mexico Americans I believe were respected above all other foreign nationalities. I know that from the peon to the newsboys they looked on Americans with respect for the simple reason that the Americans were not only fair, but they were just.

Mr. KEARFUL. They were generous, were they not?

Mr. LOUCKS. Yes; generous. A newsboy in the city of Vera Cruz would select an American newcomer to get his shoes shined because he knew he would get his shoes shined. I know some nationalities they refused to talk to because they knew they would not shine their shoes.

I remember the first friction was a matter you bring to my mind by the question the Americans were going down there for the reason they were paying to the natives too much, causing trouble to the old Spaniards. The old Spaniards with their enormous haciendas and innumerable employees, were paying the lowest wage the people could live on. They had a contract system which you know about, the hacienda store, and a man was in perpetual slavery. The only way a man could get relief was by stealing and getting dismissed or by having somebody come along and buy his contract, pay the amount to the owner and get relieved. The Americans did not like that way of doing business. They immediately began to advance the price of labor, with the natural consequences; it offended this old class of Spaniards who were doing business the other way. That was the first friction we discovered in connection with our business.

**Mr. KEARFUL.** And did these operations of Americans enable the enslaved classes to escape from that condition?

**Mr. LOUCKS.** It did to the extent that slavery was abolished from the State of Vera Cruz before the revolution came into being by a process of evolution, which shows there was no need for revolution.

I have seen young men growing up from boyhood to young manhood occupying positions of importance and trust. I have in mind to-day a family of five boys. Four of them turned out well and the other turned out bandit. Two of those boys are in Cuba occupying very responsible positions, lifted up by the Americans and the opportunity for work. I remember a little peon boy that the manager and I brought to the States one time and for the first time in his life he saw the city of New York. He was nothing but a poor barefoot boy. The last time I visited our plantation when it was in operation I noticed one of the engines going by and the man at the throttle was this same little barefoot boy and he was pleased to tip his hat to the presidente. That is what we did for them. If that is exploiting I will answer your question that way.

**Mr. KEARFUL.** I think that the committee would be very much interested in having your opinion as to what ought to be done to put Mexico on its feet?

**Mr. LOUCKS.** A candid answer to that question might not work to the advantage of anybody with present holdings in Mexico, because naturally it is going to run counter to the present administration. I realize that the committee appointed by the Senate is for two purposes; one is to make an investigation, which is a very simple matter, but the other is to make recommendations of what to do for Mexico. I have my own opinions based upon due deliberation and my experience in the past in Mexico.

I do not believe that the Mexican people can give themselves a stable government. I have thought so for a long, long time. When the Carranza government came into power nobody hoped for his success more than we did. We had no choice. We never played favorites. All we wanted was the opportunity, as I have stated, not only to their officials but to our officials in Washington—was the opportunity of carrying on operations in conformity to the laws governing the country, but with the understanding that we should be protected. That is all we ever asked. That is all we ask at the present time.

I do not believe the present government in Mexico can ever succeed for several reasons: First, I do not believe it came into being honestly. I never thought so. Next, it has no due regard for the rights of others. If there was ever anything that made the Porfirio Diaz government strong was that he used that as a guiding thought always, that they must always recognize the rights of others.

I can not find in the new constitution of Mexico or the treatment that we have received that they have ever thought of adopting that principle. If that be true, I do not believe that any Government could ever succeed for any length of time in this new and enlightened day.

**Mr. KEARFUL.** Do you think that it is necessary for Mexico to have assistance from the outside?

**Mr. LOUCKS.** Yes; and of more than one kind. I stated to a friend of mine the other day that the Mexican vocabulary had narrowed

itself down to two words—hate and revenge. Those two words mean more than anything in Mexico at the present time, and for that reason alone it is impossible to hope for a stable government, for most of the people that are opposed to Carranza have a deep-seated dislike for him for the reasons I have just enumerated. They have a real grievance. I am not thinking just now of the investments of foreigners in Mexico. I would go so far as to say that I would be willing to see our entire property sacrificed if the Mexican people—I mean the good people who wanted to work—could be given the right and opportunity to work under peace as they have a right to expect.

Mr. KEARFUL. Right there, what proportion of the population of Mexico do you consider good people, that is, potentially worthy citizens if they were given a chance?

Mr. LOUCKS. Until they were taught by their superiors other and worse things I would have said from 80 to 90 per cent were actually honest people—from 80 to 90 per cent. We had men there by the hundreds that we would trust not only to work but with any possession you might place with them. And I will go so far as to say they would defend that to the point of giving their lives, just so you gave them your confidence. That was the condition of affairs before the present revolution got to the point that they were taught, as I say, by their superiors that there were other and easier ways of getting a living than by work.

We always impressed upon our manager this: You can not expect the morals and morale at the plantation to be higher than those of our manager and we always sought to have men who were honest and clean, and we were successful.

If the present administration is honeycombed with fraud it is natural to believe many people would follow that way of getting a living. It is going to take some time to put them back, but I believe to-day there is more than 50 per cent of the people of Mexico who are absolutely honest—yes; more than 50 per cent who would be glad to work for an honest living. They do not want us to send down food. They want us to come down and establish a stable Government that will permit them to get a living wage.

Mr. KEARFUL. Do you think the good people of Mexico would be favorable to the United States going down to Mexico and putting the country in order?

Mr. LOUCKS. I said yes, but I would qualify it by saying not with the present administration in Washington.

Mr. KEARFUL. Do they distrust the present administration in Washington?

Mr. LOUCKS. There are two classes in Mexico having to do with that thought—one is a class that hates Washington and the other is a class that fears Washington—and there are very few who are to be found not in one or the other of those classes.

Mr. KEARFUL. What is the particular fear that they have?

Mr. LOUCKS. Two kinds of fear: First, we have had two or three punitive expeditions in Mexico. The average Mexican who could not see through the workings—and they were like many of us in this country—were suspicious as to what were the aims and objects of the American Government, whether they were really there to help them or whether they were really there to hurt them. After some

little time they discovered that they were not going to be harmed; they immediately turned in to assist both the American soldiers and the American administration, hoping that they were there for keeps. I know this because I have been told.

Mr. KEARFUL. By the Mexicans themselves?

Mr. LOUCKS. Yes; only to find that after they had placed their confidence in the Americans coming there and establishing a government for them they pulled out and left them to the wrath and hate of the Carranza administration. That class of people have been burned twice, and they fear anything that may happen from this time on.

The next is a little better educated class, which fear after all that what the Germans have told them down there may be true, that the Government of the United States by assisting first one faction and then another and getting them to fight among themselves until they are exhausted will go down and take the country by force and keep it. Those are the two kinds of fear there are in Mexico. That is why I say the present administration in Washington can do nothing in Mexico, according to my views.

Mr. KEARFUL. If the present administration should honestly and firmly in good faith desire to help the Mexican people it would be met by those conditions?

Mr. LOUCKS. If you could convince the Mexican people that you were there for honest purposes I believe 90 per cent would welcome you to-day. When I say 90 per cent, I mean the laboring people, I mean the merchants, I mean the farmers, I mean everybody but the politicians.

Mr. KEARFUL. What form do you think such assistance should take when it does come?

Mr. LOUCKS. I think it means the establishment of a government in Mexico City. I believe it means a sufficient force to give their people a chance to get back on their feet without fear of persecutions; I believe it means financial assistance to put their industries back into operation; I believe it means the return peaceably of the good people who were forced out of Mexico by the present administration.

Mr. KEARFUL. You mean mostly Mexicans?

Mr. LOUCKS. Mexicans. When those things are brought to pass it will take but a very short time until you have got an entirely new order of things. There is no confidence in Mexico at the present time; they have no confidence in anything; they have no confidence in their own Government; they have no confidence in this Government; they are just waiting and hoping and, I might say, praying that something might happen. Now, in saying this, I am not thinking of myself, I am not thinking of our investment; I am thinking of Mexico.

Mr. KEARFUL. What do you think about the statement that has been made, also emanating from high official sources, that there is a conspiracy among capitalists operating in Mexico to force intervention on that country for the purpose of taking it over?

Mr. LOUCKS. It is childish; it is simply childish. I have never heard a Mexican with large interests in Mexico express an opinion very much different from what I have just expressed.

Mr. KEARFUL. You say Mexican—you mean American?

Mr. LOUCKS. I mean American. I have never heard an American with large interests in Mexico but has the kindest feeling for Mexico.

I want to say, further, there is absolutely no reason in this day, 1920, that there should be friction between these two countries—absolutely no reason. We are neighbors; we have got to be so whether we want to be or not. Now, in saying that the officials of Mexico hate us, I am not using my expression; I am taking it from the lips of one who was very, very close to the present administration in Washington, and I asked the question for the simple reason that I wanted to know.

Mr. KEARFUL. What effect has the policy pursued by this administration had upon the feeling of friendship of Mexicans toward Americans?

Mr. LOUCKS. Some wonder, some distrust, and, as I said, some hate. That is what it resolves itself into. They simply wonder. I think it was in 1915—I don't know what Government was in power at that time—but a very intelligent man was down at our plantation and I talked with him, and this is what he said, "If only your Government would select somebody—I don't care whether it is Villa, Carranza, or Huerta, or whoever it might be—but if it selects somebody and gives him its whole-hearted support, that is all there is to it; the others will submit." We didn't get that support, and there was evidently a conflict in Washington as to whom to support.

Now, you may wonder why the present administration in Mexico City dislikes Washington. You should not forget that at the time of the split with Villa, Carranza lay flat on his back; he could not get out, the American forces at Vera Cruz, Villa in the North, and I am told that very material assistance went from this country to Villa. You can easily wonder where Carranza got his antipathy if he did not have it before.

Mr. KEARFUL. Do you believe that the Carranza Government would have been a success if this Government had supported him whole-heartedly in every way that you think that a good Mexican should now be supported?

Mr. LOUCKS. No, sir; I think he would temporarily; I think he would for a time. If it could have succeeded under the way in which it came into being it would give the lie to modern civilization, according to my way of thinking, because it was founded on fraud. It could not succeed.

Mr. KEARFUL. Is there anything further you think of?

Mr. LOUCKS. No, sir; I do not think of anything for the moment unless you want to go into the matter of some things I have here on various subjects. I think of nothing that would add to what has been said.

Mr. KEARFUL. Very well, then, you may be excused.

(Whereupon, at 3.50 o'clock, p. m., the committee adjourned.)

# INVESTIGATION OF MEXICAN AFFAIRS.

FRIDAY, JANUARY 30, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,  
*Washington, D. C.*

Testimony taken at Washington, D. C., January 30, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

## TESTIMONY OF FRANCIS W. BLACKFORD.

Mr. KEARFUL. State your full name, please.

Mr. BLACKFORD. Francis W. Blackford.

Mr. KEARFUL. What is your business?

Mr. BLACKFORD. I am a civil and mining engineer.

Mr. KEARFUL. What is your present place of residence?

Mr. BLACKFORD. Columbus, Ohio. Do you want the address?

Mr. KEARFUL. Yes.

Mr. BLACKFORD. 86 East Eighth Avenue.

Mr. KEARFUL. Were you in Mexico during the time of Porfirio Diaz?

Mr. BLACKFORD. Yes, sir; I was.

Mr. KEARFUL. In what business were you engaged there?

Mr. BLACKFORD. I was part of the time the engineer and manager of the Railway Constructing Co., and later on I was a member of the contracting firm of Ball, Sims & Blackford, and I also did consulting civil and mechanical engineering work; made reports upon projects, etc.

Mr. KEARFUL. What sort of construction work were you engaged in?

Mr. BLACKFORD. Actually engaged in building railroads, and I also made engineering reports on projections of different railway lines and upon harbor work.

Mr. KEARFUL. What was the condition in the time of Porfirio Diaz before the Madero revolution as to order and safety in Mexico?

Mr. BLACKFORD. The conditions were very good, indeed. Everybody was protected in the conduct of their business.

Mr. KEARFUL. Was it safe to travel about through the country?

Mr. BLACKFORD. Yes, sir.

Mr. KEARFUL. Without guards?

Mr. BLACKFORD. Yes, sir; I traveled a great deal myself in all sorts of ways.

Mr. KEARFUL. What was the effect upon the laboring classes of the construction work in which you were engaged?



Mr. BLACKFORD. I think the effect was beneficial to the Mexican people of all classes, and especially to the laboring class, because we paid from two to three times as much wages as was prevalent in the country for agricultural work and all sorts of laboring work.

Mr. KEARFUL. In what physical condition did you find the Mexicans when you employed them?

Mr. BLACKFORD. Well, that differed somewhat in different sections and at different times. Sometimes we found them in normal condition, strong and healthy; other times we found them very poor. One time in particular we found the laboring people in the district where we were very much emaciated from lack of sufficient sustenance due in part to a failure of the corn crop and the scarcity of corn locally.

Mr. KEARFUL. And you had to advance them food in order to get them in condition to work?

Mr. BLACKFORD. Yes, sir; we bought corn and brought it in, corn and beans, and issued them to them on their prospective labor in order to get them in proper physical condition to do our work.

Mr. KEARFUL. When did you leave Mexico?

Mr. BLACKFORD. I left there in June, 1911, at that time with my family and my personal effects. I returned again in September and remained until about the 1st of November, as near as I remember.

Mr. KEARFUL. Did you quit Mexico on account of the revolutionary disorders?

Mr. BLACKFORD. Yes, sir; entirely so, because I loved that country and should have liked to remain there.

Mr. KEARFUL. Have you or your associates been able to do any construction work since that time or do you know of any construction work having been done since that time in Mexico?

Mr. BLACKFORD. One of my associates died soon after I left. I do not think the other one has done anything of any consequence since. I have not really heard very much from him except that when I was in the country of San Salvador in Central America in 1912, 1913, and 1914, I had some correspondence with him and he was exceedingly anxious to come to Salvador to engage in the construction of some railroads which I was at that time surveying.

Mr. KEARFUL. Do you know of any construction work having been done in Mexico since the outbreak of the Madero revolution—railroad construction work?

Mr. BLACKFORD. I do not think any railroad construction has been done since that time. I have not heard of it.

Mr. KEARFUL. Was any of the work upon which you were engaged left uncompleted?

Mr. BLACKFORD. One contract which we had in the State of Chihuahua never was even started. It was unsafe for life and property and we never succeeded in getting onto the work in order to do it. In fact, we never tried to get onto it. Conditions were such that we were afraid to venture.

Mr. KEARFUL. Did you have some mining properties in Mexico?

Mr. BLACKFORD. Yes, sir; I had mining properties in Mexico.

Mr. KEARFUL. And what became of them?

Mr. BLACKFORD. I allowed the titles to lapse; that is, I ceased to pay taxes upon this property because my agent there informed me that the government had recently passed an act requiring owners of

mines to work them. It was impossible for me to work the mines because it was not safe to travel in the country. I would not have attempted to reach them for four times their value.

Mr. KEARFUL. Was the law that you were required to work the properties under penalty of forfeiture?

Mr. BLACKFORD. Yes, sir.

Mr. KEARFUL. In what year was it that you quit paying taxes?

Mr. BLACKFORD. I think it was the year 1916. I paid taxes until that time.

Mr. KEARFUL. Previous to this law you speak of it was sufficient that certain amounts be paid in order to hold the title without working the mine?

Mr. BLACKFORD. Yes, sir.

Mr. KEARFUL. This requirement was made that the mining properties should be worked at a time when it was impossible to get to them to work them?

Mr. BLACKFORD. It was practically impossible; yes; it was dangerous.

Mr. KEARFUL. I think that is all, unless you have some further statement to make, Mr. Blackford.

Mr. BLACKFORD. Well, I might state further that it is very difficult, indeed, for me to get information about my property in Mexico, even my mining property or my bank stocks. The mail is censored, and I have not written to my acquaintances and my friends there, as I would write to them if that were not the case; and I think that they have failed to give me information such as I should like to have because of the censorship which exists.

Mr. KEARFUL. You have not any proposition to offer, have you, as a remedy for the conditions down there?

Mr. BLACKFORD. Well, a more vigorous protection of the lives of Americans—their lives and their property—by our Nation.

That the State Department demand of Mexico that she pay interest on her bonds and the bonds of the railways which she controls and all other just obligations, and that she protect the lives and property of all American citizens within her boundaries.

Furthermore, so long as our Government interprets the Monroe Doctrine as at present and says "hands off" to all European countries, it is incumbent upon her to demand in behalf of them the same that she demands for herself.

Should Mexico fail within a reasonable time to accede to these demands, I should suggest the seizure of her ports of entry and an invasion of the country and the collection of all export and import duties and internal revenues. Same to be applied to the discharge of her obligations as above stated.

Mexico is one of our best, if not our best markets. Her railroads have American equipment and their employees know no other and will naturally continue to use it. The same may be said of mining and largely electric machinery and supplies and many other classes of American manufactured products.

It is a market which our commercial interests can not well afford to neglect and in its development they should be amply protected by our Government.

If Mexico desires to stay in the family of civilized nations and to be benefited by such privileges, she should be just and decent, and if she fails in these things as she has for the past 10 years she injures herself as well as others and should be held strictly to account by force of arms if necessary.

Mr. KEARFUL. You have read about some of the notes that have been sent and, of course, you know that they were very vigorous.

Mr. BLACKFORD. I know of the notes; yes; I know that they have been ineffective altogether.

Mr. KEARFUL. What more vigorous policy could be adopted than sending a vigorous note?

Mr. BLACKFORD. Well, I think that that would be going into matters that I would not like offhand to say anything about.

Mr. KEARFUL. Do you not think that a vigorous note should not be sent except with the intention of backing it up in case it is rejected?

Mr. BLACKFORD. I certainly do; yes. I think we are the laughing-stock of the diplomats of the world. People of Latin America think that we are afraid of Mexico. I was in Salvador, in Central America, when negotiations were going on between Huerta and our administration, and I think it was the prevailing opinion among, you might say the middle class of people in Salvador, that we were afraid of Mexico—the United States was afraid of Mexico. We backed down always whenever an international question came up.

Mr. KEARFUL. Is that all, Mr. Blackford?

Mr. BLACKFORD. I do not think of anything. Do you care to have me mention about these railway projects and the money that was paid for concessions and never has been realized upon at all?

Mr. KEARFUL. You may proceed to state that.

Mr. BLACKFORD. I might say that I was the chief engineer of a project called the Puebla & Pacific Railway in the years 1910 and 1911. This railroad was projected from Puebla southward to the Pacific Ocean, with branches north and south from there, a distance more or less of 600 kilometers. The projectors of this enterprise paid 60,000 pesos into the Mexican treasury for this concession, of which practically nothing has resulted because of the disturbed condition of the country. I do not know of anything more.

Mr. KEARFUL. Very well, you will be excused. Thank you, sir.  
(Witness excused.)

#### TESTIMONY OF DR. JAMES M. TAYLOR.

Mr. KEARFUL. Doctor, please state your full name.

Dr. TAYLOR. James M. Taylor.

Mr. KEARFUL. What is your profession?

Dr. TAYLOR. One of the secretaries of the board of foreign relations of the Methodist Episcopal Church.

Mr. KEARFUL. What is your present place of residence and address?

Dr. TAYLOR. I live on the Jersey side. Shall I give my home or office?

Mr. KEARFUL. Your office address.

Dr. TAYLOR. One hundred and fifty Fifth Avenue, New York City.

Mr. KEARFUL. Have you had occasion to visit Mexico recently?

Dr. TAYLOR. Yes, sir.

Mr. KEARFUL. What was your object in going to Mexico?

Dr. TAYLOR. Well, to do some evangelistic work and investigate conditions regarding missionary and educational work.

Mr. KEARFUL. The prospects for continuing that sort of work in Mexico?

Dr. TAYLOR. Yes; investigating conditions regarding future work so that I might come home and give these facts to the church. I may say that I do that same work throughout the world, visit the different mission fields.

Mr. KEARFUL. What points in Mexico did you visit?

Dr. TAYLOR. The principal points were Monterrey, Tampico, San Luis Potosi, Guanajuato, Mexico City, Puebla, Pachuca, and Vera Cruz. Of course, dozens of other places, small places.

Mr. KEARFUL. Intermediate points?

Dr. TAYLOR. Yes.

Mr. KEARFUL. Did you have occasion to observe the operation of foreign enterprise?

Dr. TAYLOR. To a greater or less extent; yes.

Mr. KEARFUL. What has been the effect of the operations of the foreign capitalists in Mexico, especially Americans?

Dr. TAYLOR. My judgment is that it has been decidedly a blessing rather than otherwise.

Mr. KEARFUL. Do you agree with the statements that have been made from high official sources that Americans operating in Mexico are not entitled to consideration because they have been exploiting the Mexican people?

Dr. TAYLOR. I might say in answering that that I went down there with more or less of that feeling and came back with the belief it is absolutely untrue. I have said to people since I have been back in the States that some of the American companies operating in Mexico I consider are really doing missionary work because of the way they are teaching them sanitation and better modes of living, compelling the children to go to school, and things of that kind.

Mr. KEARFUL. Do you believe it is possible to do spiritual and educational and religious work without first giving ignorant people the material benefits?

Dr. TAYLOR. I do not know that I could answer you affirmatively just the way you put the question. I do not know that I would say it is not possible to do spiritual work without this, but it is not practical and it is not possible to render 100 per cent.

Mr. KEARFUL. Your organization does not proceed upon the lines that it is practical to do education and religious work without first advancing ignorant peoples in a material way, do you?

Dr. TAYLOR. Absolutely not. We are taking steps now along lines of industrial schools and things of that kind.

Mr. KEARFUL. What do you think would happen to the common people in Mexico if all of the foreign capital were withdrawn from the country?

Dr. TAYLOR. Judging from some facts that I know and what I observed generally and gathered from both Americans and Mexicans I should say that in 90 days or 6 months at the very furthest it would produce one of the greatest famines that was ever known in a country of 15,000,000 people.

Mr. KEARFUL. Will you describe some of the benefits that have been derived by the employees of American capitalists in Mexico?

Dr. TAYLOR. Why, I have in mind one place across—I am mixed up on the rivers and bays there at Tampico.

Mr. KEARFUL. The Panuco River?

Dr. TAYLOR. Yes. The place I want to speak of is a place across the river. I think it is the terminal of one of the oil companies that I visited traveling throughout the little city, and I found them with sanitation officers, with closed garbage cans, the lids always having to be found on the cans, the homes inspected to see that the garbage has been put regularly in the garbage cans, and it was hauled off. My understanding was, twice a day. I found that there was a school that the company had built and furnished the four teachers for and were preparing to put in two more teachers. I found they had truant officers compelling the children to go to school. I found in the school a new piano they had just had two days. I asked the head master if they had not raised the money for it by giving entertainments. He said they did raise money for that purpose, but when he went over to Tampico the day before to get it he started to give the manager of the company the money for the piano and the manager gave back the money and gave them the piano that cost 1,200 or 1,500 pesos.

I found they had put out regular parks, were setting out palms along the streets. The best meal I had in Mexico I had in their dining room and ate with a Mexican sitting to my left and an American to my right and found that that was for the American and Mexican men who were working there at the terminal without their families.

I visited the dormitories and found they had the same room for the Mexican men that they had for the Americans. I visited and photographed the residential sections and found they had the same dwellings for Americans and Mexicans and they are living side by side.

Mr. KEARFUL. And at whose expense were the school and the sanitary equipment provided?

Dr. TAYLOR. The company that operated there. Should I give that particular company?

Mr. KEARFUL. No; it is not necessary.

Dr. TAYLOR. One of the oil companies that operate and has that as their terminal where they load their ships, and it was the manager of that oil company that gave the piano.

Mr. KEARFUL. The employees themselves are not assessed for the expenses of any of these benefits?

Dr. TAYLOR. They are not assessed for room rent or house rent and they get their meals free also, and the young man, a southern boy from Macon, Ga., who is in charge of that particular end of the work, told me that the meals cost the company—I think he said, as well as I remember, about \$1.50 gold per meal; that that was what the food meant.

Mr. KEARFUL. Did you find similar conditions in any other section of Mexico?

Mr. TAYLOR. Do you mean where there is foreign capital invested?

Mr. KEARFUL. Well, under any other circumstances?

Dr. TAYLOR. No, sir.

Mr. KEARFUL. Did you find—

Dr. TAYLOR. Now, I found conditions more or less along that line wherever good, substantial foreign or American, I think particularly American, companies were operating, like Panuco, where they have baths and everything of that kind for their men, but I did not find anything at all approaching such as that except where such work was being carried on.

Mr. KEARFUL. What did you find to be the general character of the Americans in business in Mexico?

Dr. TAYLOR. I found them on the whole to be what I would call a good crowd of Americans.

Mr. KEARFUL. How did they compare with Americans in this country in any given locality?

Dr. TAYLOR. You take the Americans in this country and remove the strictly religious element that is found here, and nothing of that kind being carried on there, I would say they compare very favorably.

Mr. KEARFUL. What class of people are they? What is their business? What is their standing as a class? What do they do?

Dr. TAYLOR. Their business, you mean?

Mr. KEARFUL. Do you think they are there because they can not live in this country?

Dr. TAYLOR. No; I found them on the whole to be what I would consider lawabiding, highminded, and to a very large extent cultured American people with a high standing in a general way regarding morals, and their actions toward other people. I do not mean by that that I found a crowd of Sunday school fellows—not in that sense at all. But, for instance, when I was out in the oil fields I was in places where they had to go to the general of the Army who had taken over certain of their properties, and they would have to go to him and ask the privilege of running an engine in order to take me to some other point or in order to move the train to some other point, and I saw properties of that kind taken over by the Government, the Army, where they were not permitted to use their warehouses or their other houses, and the sick soldiers and the women and children under the buildings, out in the yards, lying around on the platforms, some of them. I saw, for instance, a woman lying under one of the warehouses on a pile of iron pipes. I do not think from the pipes up to the floor it could have been more than 30 inches. I think there is no question but what she would be dead before the next morning. I think 90 per cent of them were diseased, dying like flies. And I found these American fellows when they did not know I was watching them at all slipping around to these sick soldiers and sick women and slip one or two dollars in American money to them. And in talking to me and in my discussion with them I found them not anti-Mexican or hating the Mexicans, but with a feeling of interest in them, wanting to do that which would help them rather than hurt them.

Mr. KEARFUL. Did you find that in general to be the treatment of Mexicans by the Americans who are operating in Mexico?

Mr. TAYLOR. I should say on the whole I did. I found, for instance, at one place way up in the interior, that is, up in the oil fields, between 30 and 40 boys—the school was out and these boys

were out with their machetes cutting the grass around near the pump station and commissary and rooming houses, and I asked what they were paying them, and I found they were getting, if I remember correctly,  $1\frac{1}{2}$  pesos a day for the work, work that if I had been there myself I do not think I would have had done at all. I asked why they were having it done and they said the boys were idle, and they had to be employed and their families needed what they could earn, and they simply had them do it for that purpose.

Mr. KEARFUL. Did you have occasion to meet Consular Agent William O. Jenkins in Puebla?

Dr. TAYLOR. Yes, sir; I was with him more than once, and I was entertained in his home on the Thursday before they kidnapped him on Sunday. I met him and Mrs. Jenkins, their children, and Mrs. Jenkins's sister.

Mr. KEARFUL. Did you learn something of his business operations there?

Dr. TAYLOR. Yes; quite a little. I found that Mr. and Mrs. Jenkins are both interested in religious work to start with. I think they are both members of the church. And I found him with large holdings and haciendas, apartment houses, building new apartment houses, in addition to his work with his factory, his knitting mills. I found his work, so far as I could learn from others, to be of the very highest type and his interests in the Mexican people I found to be very great. In fact, I went through the hospital and the major part of which, I understand, he gave to Dr. Conwell, of the Baptist Church, not only giving the property, but bearing the expense of renovating it. And while I was with him I was taking up the matter of trying to get him to give one of the haciendas to the Methodist Episcopal Church for an industrial school for boys.

Mr. KEARFUL. Native boys?

Dr. TAYLOR. Native Mexican boys.

Mr. KEARFUL. And this hospital, is it used exclusively for foreigners?

Dr. TAYLOR. Foreigners, of course, patronize it. It is the only hospital in Puebla, and they patronize it; but it is in the main for the Mexican people.

Mr. KEARFUL. It is open to the Mexican public?

Dr. TAYLOR. They come to it whether they have money or not.

Mr. KEARFUL. It is a charitable institution?

Dr. TAYLOR. Yes, sir.

Mr. KEARFUL. Did you find Mr. Jenkins in his business engaged in oppressing and exploiting the Mexican peons.

Dr. TAYLOR. From what I learned of his business, I would personally consider that it was a blessing to the Mexican people.

Mr. KEARFUL. How do the Mexican people regard Mr. Jenkins?

Dr. TAYLOR. I found them regarding him very highly. I found his children in school with Mexican children, in the mission school of the Baptist Church; that is, one of them, I guess. I found one of his children in school. And the Mexican people I found regarded him very highly, esteemed him highly.

Mr. KEARFUL. You found no antagonism of the Mexican people against him?

Dr. TAYLOR. I found none whatever.

Mr. KEARFUL. You were in that vicinity at the time when Mr. Jenkins was kidnapped, were you?

Dr. TAYLOR. Yes; I left there I think on Friday, and they kidnapped him on Saturday. That is, I left Puebla, but I was in the immediate vicinity, either at Mexico City or Guanajuato, when they kidnapped him.

Mr. KEARFUL. Did you have occasion to learn what method of communication was used between Mr. Jenkins while he was in captivity and his wife and his friends?

Dr. TAYLOR. I am personally acquainted with the people by whom the letters were carried or transferred back and forth between Mr. and Mrs. Jenkins.

Mr. KEARFUL. What does that indicate with reference to the facility with which the Government officials could have found the abductors of Jenkins if they had wanted to?

Dr. TAYLOR. The parties who were carrying the letters, to whom the letters were delivered for Mrs. Jenkins by the woman who carried most of them and by others, who carried the remainder, and to whom the letters were delivered by Mrs. Jenkins, to be sent on to him, told me that on one occasion a letter was received in the early morning from Mrs. Jenkins with an accompanying note that said, "This letter should have been delivered last night, but it reached our place of business after we had closed, all except the office, and our servants were gone, but we have sent it to you the first thing this morning after opening our business." Which seemed to indicate to me that much of the operations and negotiations regarding the ransom were carried on right in the City of Puebla.

Mr. KEARFUL. The question was whether these operations indicated that the Government officials could have found Jenkins's abductors if they wanted to?

Dr. TAYLOR. Well, I was merely answering that by giving this concrete example of the facts that the thing was carried on to a large extent right there under their own eyes, and to my mind there is no question—of course, I can not speak with knowledge—but I understood that he was never at any time more than 10 or 12, or maybe 15, miles away from the City of Puebla, and when they brought him back they brought him to the car line.

Mr. KEARFUL. Puebla is a very large city, is it not?

Dr. TAYLOR. A city of about 125,000.

Mr. KEARFUL. It is the second city in Mexico, is it not?

Dr. TAYLOR. Well, I think it ranks next to Mexico City.

Regarding Mr. Jenkins, I would like of my own accord to say that, concerning the question of his being implicated in the kidnapping and getting an interest in part of the money, for one to know Mr. Jenkins, know his business, the millions he is worth, and the way he is making money, and his interest in Mexican people, and the money he is giving for benevolent work among them, and the treatment he had while he was held in custody, makes such charges utterly ridiculous.

Mr. KEARFUL. What do you judge was the reason why the Government officials did not undertake to capture the abductors of Jenkins?

Dr. TAYLOR. I, of course, could only answer that by giving my opinion, but I might answer it by quoting a conversation with a



railroad conductor. I ought not to tell on what railroad it was, as I might get the poor fellow in trouble.

Mr. KEARFUL. It is not necessary.

Dr. TAYLOR. I might answer it by quoting a conversation with a railroad conductor on a train on which I traveled, who spoke English. I asked him about a certain railroad being open and whether it was as safe as the one I was traveling on with him. He said that one was not a damned bit safe. He said, "Look at the trains, engines, and oil tanks down here in the gorge, if you think it is safe." I asked him if he had had any wrecks of his own trains. As well as I remember he said not since last week. I asked him if he thought there was any danger of one that day. He said, "If they know we have any money on here or find that we have very many soldiers there will be, for it is generally the soldiers they are after." I asked him then if we did not have soldiers enough on to protect us. He said, "Mister, I'm a good runner myself. I have proved it since they have been blowing up the trains, but there isn't a soldier on this train but what can outrun me and they will prove it to you if our train is blown up." I said, "The bands are not very large, are they, when they blow up a train?" As well as I remember, he said not over 25 or 50, and I suggested that we had more soldiers than that: that they would, therefore, be able to capture the bandits, and asked him if they did not always do that. He said, "Stranger, are you a fool? Don't you know that the general in charge of this section has possibly 500 or 1,000 men and draws a salary for 2,000 or 2,500? Why does he want to lose his job by capturing the bandits, so that he will have nothing to do and not be able to pad his list and draw a large salary on it?"

This, in my judgment, and in the judgment of this Mexican gentleman who, of course, is a Government official, in that he is a conductor on a Government-operated road, is the explanation of why many of the bandits are not captured.

Mr. KEARFUL. In a propaganda pamphlet recently issued by the League of Free Nations Association there was a letter to the Evening Post, in which it was stated that the writer had been in Mexico recently, in October. That is the same time you were there, is it not?

Dr. TAYLOR. Yes.

Mr. KEARFUL. He said, "I spent this recent October in Mexico. The country is prosperous and at peace." And again he says, "On the basis of personal knowledge I assert again that Mexico is prosperous and except in a few retired and unimportant sections peaceful." Is that a true statement as you found it at that time?

Dr. TAYLOR. I went to Mexico the 1st of October, I think the very first day, and left there the last days of November, and from what I saw and heard I would not at all consider that the conditions as I found them.

Mr. KEARFUL. About the same time Mr. Charles A. Douglas, personal counsel for the Mexican Government, was in Mexico City and gave out an interview in which he stated that Mexican affairs have been much misrepresented in this country—that is, in the United States—and that he had found the people to be busy, well dressed and contented. Is that a true statement of what you found there at that time?

Dr. TAYLOR. Well, I saw busy, well dressed, and contented people in Mexico, but that did not represent what I found to be the average or common condition in Mexico.

Mr. KEARFUL. Did you find that to be the general condition of the masses of the people in Mexico?

Dr. TAYLOR. I did not. I could give extreme cases regarding poverty in Mexico, such, for instance, as having gone along a principal street in Mexico City where I found three old women, two of them with white heads, and one little boy sitting on the sidewalk with burlap spread out on which several pails of garbage had been poured, and I found them in the early morning sticking their hands in this garbage up above their wrists, picking out particles of putrid flesh, vegetables, and bread and eating it. I saw a little boy run his hand down in the garbage and pull out a chicken bone and ravenously eat the putrid flesh from it. But I would not consider that a picture of the masses. I only bring that up as the opposite extreme of what you just quoted.

Although I found conditions like this I would not say that Mexico is in that condition as a whole, and while there are well dressed, contented, and busy people there that is certainly not in any manner the general condition as I saw it.

Mr. KEARFUL. The generals of the army and the government officials are well dressed, of course?

Dr. TAYLOR. Yes, sir; they seem to be prosperous.

Mr. KEARFUL. And some of them are fairly busy and all of them contented, are they not?

Dr. TAYLOR. Very well contented with their present position, because I was told by Mexican people, as well as by Americans, that there were generals there now worth a few million dollars who only a few years ago were peons, bare-foot peons.

Mr. KEARFUL. In traveling in Mexico what protection was afforded to the trains on which you traveled?

Dr. TAYLOR. Practically all the trains I traveled on carried one or more, I suppose they were steel cars, filled with soldiers, with holes in the side for them to shoot out through, and in some cases they had an exploring train go ahead of our train, and that also loaded with soldiers.

Mr. KEARFUL. You were in Mexico at the time when President Carranza made a trip up to his home place in the State of Coahuila, were you?

Dr. TAYLOR. Yes, sir.

Mr. KEARFUL. Do you know of any railroad accidents that happened along the line of travel that he took at that time?

Dr. TAYLOR. I was told the president was at his old home when I was on my way from Nuevo Laredo to Mexico City, and when we left Nuevo Laredo at about 9 o'clock in the morning the train due there the night before about 11 o'clock had not arrived, and they had had no word from it. When we reached Saltillo we were told that it was not safe to travel any farther that night and our train was switched off, and we stayed there until the next morning. We had only gone a few hours that morning when our train stopped and we found that some one—they told me it was the bandits—had gone to a heavy fill which was on a curve and taken up a rail on the out-

side, laying it back without the spikes being driven, so that the train just ahead of the one I was on on striking this curve had gone off the embankment, possibly 25 or 30 feet, causing one of the worst wrecks I ever saw.

When we arrived they told me that they had already taken 40 dead people and there were still 104 others.

Now I may say that I have heard all kinds of statements about it, but that was the statement that was made to me there that morning. I have seen different statements in the papers. Those who were able to speak and read Spanish told me that the wreck we saw was the fourth one in 24 hours in that section. They told me that this was the country through which President Carranza was traveling and that some of the bandits had even expressed themselves regarding their determination to "get" him. I was also told that on one of his trips he was scheduled to go out on a train following the regular one, but at the last moment his train was put onto the first section. The second section, which was supposed to have been his, I was told was blown up, but it proved to be the passenger train instead of the one on which the President was traveling.

Mr. KEARFUL. What did you ascertain in Tampico about the robbery of pay rolls of oil companies?

Dr. TAYLOR. I talked with many Americans, asking them how many times they had been held up, etc., and found it quite a joke among them as to who had been held up the most often. Some of them had even had their shoes and stockings taken off of them, and I talked also with some men who had been held up and even shot while the pay roll they were carrying was being taken from them.

Mr. KEARFUL. What was the general expression among them as to who committed these robberies?

Dr. TAYLOR. In some case they offered to go and show me—identify Carranza soldiers who, not being in uniform, had gone out at night and held them up. One American from Montana showed me a coat he was wearing and offered to carry the coat and go with me down to the barracks and show me a soldier wearing the vest to that coat, which was taken off of him when they also took his shoes and other clothing.

Mr. KEARFUL. Do the Government soldiers at that place ordinarily wear uniforms?

Dr. TAYLOR. I was told that practically all the soldiers in that section refused to wear a uniform, since they said it would be easy to identify them.

Mr. KEARFUL. Did you have a demonstration of the fact that they did not wear uniforms that were issued to them?

Dr. TAYLOR. I visited one place up in the oil fields where I was told at the tables that the soldiers had all been issued uniforms and caps, and some of the American boys offered to bet me that by the next day there would not be a uniform nor a dozen caps on any of the soldiers in that barracks. About two days later I went up to the barracks and the general gave me permission to take some pictures. In this way I was allowed among the soldiers, and I do not remember to have seen a uniform on any of them except the officers, and I doubt if I saw half a dozen caps on them.

I traveled some with an American who, in company with another American and a Mexican boy, was carrying a small pay roll of, I

think, \$10,000, in a Ford. They were held up, both of the Americans shot, the money taken from them, and the tires of the machine chopped off with their machetes even after they had taken the money. I had both of these American boys open up their clothing that I might see where they were shot, and later on I visited the place of the holdup, photographed the clump of bushes, and went in and examined the holes that had been dug and evidently occupied for days and perhaps for weeks in waiting for them.

When they called the boys to halt, instead of waiting for them to stop the machine, they opened fire, and they told me that possibly about 35 shots were fired. I heard numbers of stories of the same kind.

Mr. KEARFUL. Did you have any interesting experiences of your own while you were down there?

Dr. TAYLOR. Well, up in the Tampico oil fields we were preparing to cross the river one morning and I was taking some pictures of properties belonging to one of the oil companies; some soldiers who had been sleeping on the ground in their little trash-covered huts the night before, saw me and one fellow, bare foot and ragged, so drunk that he could not walk straight, rushed up to me, ran his gun against my breast and told me to give him the film. I proceeded to give him a film, but by that time at least a dozen or 15 more soldiers rushed up with their guns and told me I had to give up my camera and go to the general in charge. They took me to him and after a few words with him he withdrew to another room and sent word by one of his men that he must have \$500 gold to release me.

Mr. KEARFUL. Was there any charge of an offense made against you?

Dr. TAYLOR. There was no charge whatever.

Mr. KEARFUL. No trial of any kind?

Dr. TAYLOR. No trial of any kind.

Mr. KEARFUL. Did you pay the amount?

Dr. TAYLOR. Let me go just a little further with that. He did not mention any offense except that I had taken pictures and the photographer traveling with me showed his permit to photograph all public buildings and parks, including the national palace and the Chapultepec palace, but the general said that didn't apply to his territory, that he was handling things there. He did not mention, however, any crime that I had committed should be punished by a certain fine or imprisonment, but simply said he must have \$500 gold.

Mr. KEARFUL. You were not brought before any judge?

Dr. TAYLOR. No, sir.

Mr. KEARFUL. Did you pay the amount demanded?

Dr. TAYLOR. They finally reduced it to \$200.

Mr. KEARFUL. You negotiated a reduction to \$200 and finally paid that?

Dr. TAYLOR. Yes; others paid it. They finally sent me away and carried the negotiations on and it was paid.

Mr. KEARFUL. Did you find a large population in Mexico City?

Dr. TAYLOR. Yes, sir; they told me it was abnormally large.

Mr. KEARFUL. What was the reason for that?

Dr. TAYLOR. That people had come in from the haciendas and villages around and where they could not get any protection.

Mr. KEARFUL. Were there a number of hacendados and large farmers from the haciendas?

Dr. TAYLOR. I was told there were large numbers of them in Mexico City.

Mr. KEARFUL. Did you talk with any of them in regard to conditions in Mexico?

Dr. TAYLOR. Not with very many. I talked with one on the train as he went back to hacienda after having been away, he said, for three years; the soldiers having taken charge of his property and he not allowed to return. He wept as he told me he was eager to go to work and do something.

I had letters of introduction to other men in Mexico City who were driven from their haciendas whom I did not call on, but was told if I would call on them I would find them actually in a state of poverty, not having really sufficient food to eat.

Mr. KEARFUL. Did you learn the opinion of those people in regard to what should be done for Mexico?

Dr. TAYLOR. Large numbers. I had men of that station in life, also of the peon class, say to me, "Our troubles can never be settled by the Mexicans. Some help will come from without. In the name of God, since you will have to do it, why don't you Americans come on and do it, so we will have peace and our business will begin to prosper?"

Mr. KEARFUL. Did you learn about the schools in Mexico City?

Dr. TAYLOR. I was told that large numbers of them were closed.

Mr. KEARFUL. Did you learn the opinion of the teachers of those schools about conditions in Mexico and what should be done about it?

Dr. TAYLOR. I did not talk with any teachers of the schools that were closed. I talked with teachers of schools whose schools were in operation—open—and they were very frank to say that the present Government was not succeeding and never would, and that there were not more than 25 per cent of the children in the schools now that were in school when Diaz was at the head of the Government, and that it would be absolutely necessary to have some kind of outside help to get things running as they should in Mexico. Those were not disgruntled teachers who had lost their positions, but are now teaching in Government schools.

Mr. KEARFUL. Did you visit Guanajuato?

Dr. TAYLOR. I did.

Mr. KEARFUL. In what condition did you find that city?

Dr. TAYLOR. They told me that prosperity was beginning—that business was beginning to be resumed, and Dr. Salmons, in charge of the hospital of the Methodist Episcopal Church in Guanajuato, told me that the population of the city and villages around about that got their mail there was about 98,000 when the mines had to close and Americans leave, when he also had to close his hospital and get out. He said the exodus began immediately, and that 28,000 passes for entire families were issued by the Government, and that even after he went back to the city the exodus continued until the population was reduced to about 5,000.

The statement that is generally made about that is 10,000, but Dr. Salmons told me 5,000, and it might create less criticism to put it 10,000. But he told me that half of the entire population died either before they got out of the city or on the roads as they were leaving.

Mr. KEARFUL. What was the cause of the deaths?

Dr. TAYLOR. I understood that, on account of malnutrition, when disease struck them they were swept away like flies.

Mr. KEARFUL. What is your remedy for conditions in Mexico?

Dr. TAYLOR. I think, as I said to Consular Agent Jenkins, that the only final hope of a real established condition in Mexico is to lift up the moral standing for them; put in schools, hospitals, and give them Jesus Christ as a moral anchorage, enabling them to measure up to a decent standard. This, of course, will mean 15 or 25 years, but during that interim, or for immediate help, much as I would hate to see it, I fear there is very little hope except by some kind of help from without. I have hoped, however, that there might be something done either by the Allied nations or by America, Great Britain, and France, approaching Mexico in concerted action.

Mr. KEARFUL. Do you think that Mexico can be saved by preaching the Gospel of Jesus Christ without any other measures for the establishment of a government?

Dr. TAYLOR. No; I do not think that can be done to any large extent without the establishment of the government. In other words, I think missionary work will be carried on in a very small degree until there is something more established in the way of government.

Mr. KEARFUL. Is it your opinion that the missionaries should go into Mexico with a sword in one hand and the Bible in the other?

Dr. TAYLOR. No.

Mr. KEARFUL. Do you think that anything can be done to rehabilitate Mexico without first establishing a Government that can maintain peace and order permanently?

Dr. TAYLOR. I do not. I think that is the only thing for Mexico.

Mr. KEARFUL. Do you think that can be done except from the outside?

Dr. TAYLOR. I am very much afraid it can not be.

Mr. KEARFUL. That will be all unless you have a further statement to make.

Dr. TAYLOR. No; I think not.

Mr. KEARFUL. Thank you very much, Doctor.

(Whereupon, at 4 o'clock p. m., the committee adjourned.)



# INVESTIGATION OF MEXICAN AFFAIRS.

TUESDAY, FEBRUARY 3, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,  
*Washington, D. C.*

Testimony taken at Washington, D. C., February 3, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the subcommittee of the Committee on Foreign Relations of the Senate.

## TESTIMONY OF MR. HENRY HOBART KNOX.

Mr. KEARFUL. Please state your full name.

Mr. KNOX. Henry Hobart Knox.

Mr. KEARFUL. Where do you live?

Mr. KNOX. 68 East Eighty-sixth Street, New York.

Mr. KEARFUL. What have been your operations in Mexico?

Mr. KNOX. As a consulting engineer since about 20 years ago; consulting mining engineer.

Mr. KEARFUL. You are familiar with the conditions in Mexico under the rule of Porfirio Diaz.

Mr. KNOX. Under the rule of Porfirio Diaz?

Mr. KEARFUL. And subsequently of Madero and Huerta and Carranza?

Mr. KNOX. Yes, sir.

Mr. KEARFUL. What were the conditions under Diaz as to security and protection for property and enterprises?

Mr. KNOX. Under Porfirio Diaz I consider the Republic of Mexico to have been as safe and secure a country as any I have been acquainted with. We could go in any part of the country far remote with a feeling of perfect security.

Mr. KEARFUL. When did you find the first difficulties beginning?

Mr. KNOX. The first difficulties I encountered were under Madero, during the Orozco revolution. I was in Parral at the time of the defeat of Orozco by Gen. Huerta at Conejos. Orozco was in retreat at the time I was leaving the Parral district, and I left with the retreating insurgents northward. I may add to that, that at the time there seemed to be little danger, personally; that I was open to capture in two or three places at the time, but the foreigners seemed to be in no personal danger, as there was no animus at the time against Americans; no disposition to do the stranger violence, or hold him for ransom or anything of that kind, all of which manifested itself somewhat later.

Mr. KEARFUL. When did that condition first begin?



Mr. KNOX. That condition first began, I should say, during Huerta's régime as president.

Mr. KEARFUL. That would be what year; 1913 or 1914?

Mr. KNOX. 1914, is my impression.

Mr. KEARFUL. Huerta resigned, I think, in June, 1914, or July?

Mr. KNOX. July, 1914?

Mr. KEARFUL. Yes.

Mr. KNOX. Well, I would amend that, then; I would strike out "in Huerta's régime," and make it the year 1914.

Mr. KEARFUL. About the end of Huerta's régime, was it?

Mr. KNOX. Yes; it would be—well, some time during 1914.

Mr. KEARFUL. Will you proceed to describe the conditions as you observed them with reference to security for business operations from that time on?

Mr. KNOX. From that time onward, in the State of Chihuahua, as far as I know it, most of the smaller outlying mining properties have been closed down for the reason that they could not continue to operate with security to life. I would cite as an example the copper property at Terrazas, which, as far as I know, has never made a serious attempt to resume, although directly on the Mexican Central Railway. Garrisons have been sent out there and chased away.

The mines situated near the larger cities have continued to operate with interruptions. I am speaking now of such camps as Santa Eulalia, Parral, and Cusi. They have all been at times interrupted, sometimes for very long periods. In the Parral district the reasons have not always been because of actual violence, but for considerable periods also because of interruptions in railway traffic between Parral and Jimenez. Last year the tunnel between these two towns was blown up and the traffic interrupted for several months.

In many cases under Gen. Murguía garrisons were asked for and sent out to outlying mines, but in all of those cases of which I have any knowledge their withdrawal was asked for by the mine owners for the reason that they gave no military protection, on the one hand as they invariably deserted at the first sign of an attack, while on the other hand they were an actual danger to life and property of the people at the mines. They robbed and looted, and in the evening, when they were usually drunk, they would shoot up the place and make it dangerous.

Mr. KEARFUL. Soldiers of Murguía?

Mr. KNOX. Regulars.

Mr. KEARFUL. Going back a little to the time of the Orozco revolution against Madero, what character of operations were conducted by Orozco?

Mr. KNOX. Regular military operations were conducted by Orozco, with large forces that would properly be called armies.

Mr. KEARFUL. Did he perpetrate outrages and robberies on the people?

Mr. KNOX. I have not been informed of any such. It was not a matter of general information, at all events, in those parts where I was at the time. I do know we went about freely at the time without hearing of such disturbances.

Mr. KEARFUL. Then, later in the revolution against Huerta conducted by Villa, under Carranza, what was the nature of his operations?

Mr. KNOX. I can not say from my own information, because there was a period at that time when I was not in Mexico. I was in Europe during the full period of those operations.

Mr. KEARFUL. Murguia, whom you mentioned, was one of Carranza's generals operating in that region?

Mr. KNOX. Yes, sir.

Mr. KEARFUL. What was the nature of his operations?

Mr. KNOX. Murguia was Carranza's military governor of the northern district. It is commonly reported that Gen. Murguia owns two large ranches, one in the State of Durango and one in Chihuahua, but he gathers cattle in Chihuahua, levying on the peons or ranchers, or wherever he can get them, and ships them to his Durango ranch, whence they are sold. On his Durango ranch he uses his authority to imprison the peons on various charges and ship them up to Chihuahua ranch to work as forced labor.

He also would levy contributions on all produce carried into the cities and towns by the neighboring ranchers on the pretext of supplying his troops.

Mr. KEARFUL. These ranches were acquired after he became prominent in the Government of Carranza?

Mr. KNOX. That I can not say positively. My impression is that Murguia, since the beginning of Carranza's present revolution, rose from very humble beginnings.

Mr. KEARFUL. Rose to what point?

Mr. KNOX. Rose to high military rank, and the post of military governor of the north.

Mr. KEARFUL. I mean financially.

Mr. KNOX. He is reported to be a multimillionaire, and I was told, on authority which I myself accepted, that his monthly deposit for the month of October, 1917, at an El Paso bank was somewhat over \$200,000. This was not reported as an exceptional deposit for the month.

Mr. KEARFUL. What have been the operations of your company? I believe you are connected with some company down there.

Mr. KNOX. Yes.

Mr. KEARFUL. What have been the operations of your company during the times you have mentioned?

Mr. KNOX. Since 1914 they have been able to operate about 12 months—not over 12 months in all.

Mr. KEARFUL. Was there any difficulty in operating before that time?

Mr. KNOX. The first difficulty in operation encountered was occasioned by the retreat of the Orozco forces in 1912, the reason being that Orozco destroyed the railway between Chihuahua and Juarez almost completely. I believe very nearly 200 miles of that railway was destroyed by rolling up the rails, and it took many months to reestablish traffic.

Mr. KEARFUL. What have been the reasons for your failure to operate more than 12 months during this whole period since 1914?

Mr. KNOX. As an example, in the latter part of 1915 the State Department ordered American citizens to leave the country. That meant the suspension of smelting operations, which forced the closing down of the mines tributary to the smelters, even though they

were willing to take the risk of remaining where they were. Another long suspension was the consequence of the blowing up of the tunnel between Parral and Chihuahua. On other occasions actual military operations between the Carranza forces and the insurgent forces in that district compelled the closing down of operations because traffic could not be carried on, supplies could not be brought in.

Mr. KEARFUL. From your observation of conditions, what is the prospect for improvement?

Mr. KNOX. I see no prospect whatever for improvement, under present conditions, simply because the same conditions prevail to-day, so far as I can see them, as have prevailed for several years past.

Mr. KEARFUL. Is there a prospect that the disorders will be discontinued, that the Carranza forces will be able and willing to establish order?

Mr. KNOX. There has been, for the last few months, an improvement in the maintenance of order in the State of Chihuahua. There has been a lull in the outbreaks, but personally, I do not see that the conditions have changed sufficient to insure permanence to this state of affairs.

Mr. KEARFUL. What is the ground of your apprehension about that?

Mr. KNOX. Merely that I see no change in the circumstances. A certain set of conditions have prevailed for several years past in Mexico, a set of conditions which have been unfavorable to peace and order. I see no change in those conditions which would insure permanent peace and order.

Mr. KEARFUL. What is the attitude of the Carranza generals toward that condition?

Mr. KNOX. Gen. Dieguez is now military governor of Chihuahua. His assurances and protestations are favorable, as, indeed, have been the assurances of all his predecessors.

Mr. KEARFUL. From the operations of his predecessors, did it appear that it was their desire to put down disorders and create a state of law and order?

Mr. KNOX. They manifested it only by word of mouth. They took no action looking to order.

Mr. KEARFUL. What is your conclusion as to whether Carranza generals really desire the discontinuance of the disorders.

Mr. KNOX. I can not speak of Gen. Dieguez's intentions from my own experience, as he assumed his office subsequent to any visit of mine to the country. That is, within the past few months. So, I really can not express a personal opinion.

Mr. KEARFUL. Well, as to his predecessors.

Mr. KNOX. As to his predecessors, they have been, one and all, men who have fattened on the country, by thievery and looting and graft; they have oppressed the people to the last degree in order to enrich themselves. The burden of their misgovernment and tyranny seems to have fallen more upon the poorer people than anybody else. They have been unable to save themselves or help themselves, and have had to accept the conditions that were imposed upon them, until to-day they are in the most abject misery and poverty, amounting to hunger and nakedness.

Mr. KEARFUL. Do the present improved conditions of which you speak extend to the point of eliminating Villa from the situation?

Mr. KNOX. I only know that Villa's position has not changed at all from what it has been in the past. He is still able to go and come as he chooses.

Mr. KEARFUL. How is he considered by the people of that region?

Mr. KNOX. Villa is generally considered by the people of that region as the only person who will give them order and a certain primitive, rudimentary justice when he is in charge. When Villa is in charge, he takes charge of a place or a district, and the immediate consequence is suppression of looting, robbery, and drunkenness, his first act being always to close the saloons. All the looting and robbery he reserves for himself. He will not allow his men to indulge in that on their own account.

Mr. KEARFUL. Is he moderate in that respect? Does he leave anything or does he make a clean sweep?

Mr. KNOX. He is moderate in that respect. He makes a levy of what he calls a tax to his cause, his government, on those citizens who are able to pay, and he taxes them in accordance with their ability to pay, and gives them a receipt for it, and that payment exempts them for a certain period from another levy of that kind. They apparently pay that willingly, for the reason that it carries with it finality.

Mr. KEARFUL. How does that compare with the operations of the Carranza generals?

Mr. KNOX. The general feeling is that there is no finality about their levies. If they pay to-day they are not exempt from paying again to-morrow, and still again the day after to-morrow. They do it quite politely. The man in authority under the Carranza régime invites the surrounding people of consequence to meet him at a council to determine a basis to restore order and prosperity to the country. Of course, that can never be accomplished without funds to carry it on, and those funds must be subscribed by citizens of means.

Mr. KEARFUL. Do the operations of Villa fall most heavily on the poor classes, or on those who are most able to pay?

Mr. KNOX. They fall on those most able to pay.

Mr. KEARFUL. Where does Villa get his munitions of war?

Mr. KNOX. Villa seems to get a certain amount of his supplies from the Texas border, around Presidio. He also takes it by capture from the Carranza forces, and provisions and supplies of that kind he gets in part from captured trains.

Mr. KEARFUL. Have you observed the condition of the rolling stock in the region with which you are familiar along the railroad? If you have, please describe it.

Mr. KNOX. The privately-owned railroad stock, such as that of the American Smelting and Refining Co., is well kept up. The rolling stock of the railway is distinctly dilapidated. The passenger coaches are without window glass, without lamps.

Mr. KEARFUL. The private trains of which you speak are freight trains?

Mr. KNOX. Those are freight trains exclusively.

Mr. KEARFUL. You say they are operated by the American Smelting and Refining Co.?

Mr. KNOX. Yes.

Mr. KEARFUL. Owned by that company?

Mr. KNOX. Owned by them.

Mr. KEARFUL. And kept in condition by them?

Mr. KNOX. And kept in condition by them.

Mr. KEARFUL. What arrangement is made for operating those trains?

Mr. KNOX. I understand that the arrangement is that the private owners shall furnish the rolling stock and pay for the train crews, and at the same time they pay to the railway administration the regular freight tariff per ton of cargo carried.

Mr. KEARFUL. The same tariff that would be exacted in case the rolling stock were furnished by the railroad?

Mr. KNOX. By the railroad.

Mr. KEARFUL. What is the condition of the roadbed in that region?

Mr. KNOX. The roadbed is rough, but still passable at the ordinary speed of a freight train, save where the bridges have been burned out—which most of them have—and shoo-flies substituted.

Mr. KEARFUL. What is the shoo-fly to which you refer?

Mr. KNOX. When a bridge is blown up, the line is carried down into the gulch, and if there is water running in the gulch ties are piled up and the rails laid on the ties. It is carried across in that way, and then up the opposite bank by a grade of perhaps one in eight or ten, or one in ten or twelve.

Mr. KEARFUL. Is that the condition now of the roadbed?

Mr. KNOX. It was a year ago; there were many such. That makes transportation possible during the dry season, but when the rains come these temporary crossings are washed out.

Mr. KEARFUL. Are you familiar with the various acts of this Government in reference to ordering Americans out of Mexico and sending expeditions into Mexico?

Mr. KNOX. Yes, sir.

Mr. KEARFUL. What has been the effect upon the Mexicans of the pursuit of that policy?

Mr. KNOX. It has been to destroy all prestige for Americans in the eyes of the Mexicans, and to bring the United States Government into contempt.

Mr. KEARFUL. Is there any particular expression that the Mexicans use in reference to Americans in order to express their contempt?

Mr. KNOX. For several years Americans have been called "white Chinamen" amongst the Mexicans, meaning thereby that when Americans are attacked they endure it without retaliation.

Mr. KEARFUL. Does that mean that they are classed as white-livered cowards?

Mr. KNOX. Exactly.

Mr. KEARFUL. Due to the operation of the policy that has been pursued by this administration in Mexico?

Mr. KNOX. Yes; the general feeling is that when the Mexicans come into contact with Americans that the Mexican dominates—he defeats them; he wrecks them. They cite Columbus and Carrizal especially in proof.

Mr. KEARFUL. Did you yourself have personal experiences in getting out of Mexico which illustrated that point? When was it that you came out of Mexico?

Mr. KNOX. I came out of Mexico last the first of December, 1917. I have been told that when Martin Lopez attacks a train—or, rather, I was informed that when Martin Lopez attacked the train—he made it a practice to inquire of the conductor whether he had any Americans amongst the passengers. The conductor who related this to me said that at no time had he happened to have Americans on the train when it had been attacked by Lopez.

Mr. KEARFUL. Lopez was the man who was in command of the Mexican forces that perpetuated the massacre at Santa Isabel?

Mr. KNOX. Yes.

Mr. KEARFUL. At which some 19 Americans were slaughtered?

Mr. KNOX. Yes.

Mr. KEARFUL. What was your experience?

Mr. KNOX. In June, 1917, I was at the Naica mine in Chihuahua and was attacked by a band and driven underground for 24 hours. I was attacked in the night, and held off the band long enough to take refuge underground and escaped in the interval between the time of their riding away to get reinforcements and the arrival of the reinforcements.

Again, in the latter part of November, 1918, I was traveling from Chihuahua City to El Paso when about half way the train came to a stop because the wires were down ahead. In the course of time it developed that Villa had captured Villa Ahumada that morning, had detached 200 men under Martin Lopez to ride southward and attack the north-bound train. This train had been delayed about two hours, and under that circumstance escaped. Lopez had his men drawn up on either side of the track, intending to shoot the train to pieces on its arrival at a certain bridge. Becoming impatient, however, he burned the bridge and returned to Villa Ahumada.

After a wait of 24 hours at Moctezuma station my train returned to Chihuahua City and traffic was interrupted for a week until the line could be repaired and the troops sent out to guard it.

Mr. KEARFUL. You are an American citizen, are you?

Mr. KNOX. Yes, sir.

Mr. KEARFUL. Have you had occasion to deny your American citizenship in order to escape from danger in Mexico?

Mr. KNOX. I never have. I hope I should never have done so, but it was done for me and without my knowledge on one occasion.

Mr. KEARFUL. What was the occasion?

Mr. KNOX. It was the case previously referred to when attacked at Naica. On my way out I had engaged a box car for the transportation of myself and party, in which party was a native Mexican, who made all the arrangements. After reaching El Paso he told me that whenever inquiry as to who we were he always replied that we were a party of German engineers; did that in order to avoid any trouble with the natives.

Mr. KEARFUL. That was at a time when we were at war with Germany?

Mr. KNOX. We were at that time at war with Germany.

Mr. KEARFUL. How are the Germans generally treated by the Mexicans?

Mr. KNOX. The Germans were always well treated by the Mexicans and were in good relations with them.

Mr. KEARFUL. They did not consider them as "white Chinamen?"

Mr. KNOX. No.

Mr. KEARFUL. What is your idea as to what ought to be done to rehabilitate Mexico?

Mr. KNOX. The only salvation of Mexico that I myself see is in the reestablishment of the rural guard.

Mr. KEARFUL. As it was in the time of Diaz?

Mr. KNOX. As it was in the time of Porfirio Diaz, when it was commonly considered to be one of the most efficient constabulary forces in the world.

Mr. KEARFUL. Do you see any indications of an intention of the Mexicans to reestablish that guard?

Mr. KNOX. There are none whatever visible at the present time. It is very doubtful whether it could be done under present conditions. Such a man as Felipe Angeles could undoubtedly have established such a force if he had been given an opportunity.

Mr. KEARFUL. He was a man recently executed?

Mr. KNOX. Recently executed.

Mr. KEARFUL. Do you believe that order can be established under that or some other adequate system without assistance from the outside of Mexico?

Mr. KNOX. It is difficult to believe that it can be done without outside assistance, any more than it could have been done in the Philippines or in Cuba. Down in Cuba it does, I believe, remain an efficient force, or at all events was so, as I know, for several years after the close of the Spanish War. Such a force once established, with anything like such a government as I believe Mexicans to be capable of, would, in my opinion, remain permanent.

Mr. KEARFUL. You say that the Mexicans are capable of maintaining a government. Do you mean the class of Mexicans who are now in charge of the Government?

Mr. KNOX. Not that class of Mexicans who are now in charge of the Government. I am speaking of such Mexicans who have been in charge of the Government in times past.

Mr. KEARFUL. Do you know where that class of Mexicans are living at the present time?

Mr. KNOX. Yes; in foreign parts.

Mr. KEARFUL. Have you had occasion to learn the attitude of Mexicans of the intelligent and better class toward intervention by this country for the purpose of enabling them to establish a government in Mexico?

Mr. KNOX. I can not say that I have. I have in recent years met very few men of that class in Mexico—intelligent natives. Those that I happen to know in this country—those resident in New York—are, as far as my knowledge extends, in favor of intervention, believing it to be the only salvation for their country.

Mr. KEARFUL. What is the attitude of the laboring classes, if you know?

Mr. KNOX. The attitude of the laboring classes is one of absolute indifference as to who governs them as long as they be given the opportunity of earning their living without molestation.

Mr. KEARFUL. Are they a bloodthirsty, fighting class of people, or are they a docile and working class?

Mr. KNOX. They are a docile, peaceable class of people who long for the restoration of law and order in order that they may go about their business without being robbed and abused.

Mr. KEARFUL. What percentage of the population does that class comprise?

Mr. KNOX. I should say, roughly, 90 per cent.

Mr. KEARFUL. What percentage of the population would you say comprised that class which has been engaged in looting the country for personal benefit of the commanding officers?

Mr. KNOX. Well, it is very hard to say. It is a very small proportion of the whole. The matter is complicated by the large number of bandits and robbers who are not so naturally, but are driven to it through sheer want. The regular soldiers would probably behave themselves under ordinary discipline if they were paid and fed, but not being so, are driven to take what they require where they can get it.

That is so, to a considerable extent, of the peons themselves, the peasantry. When they get hungry and cold and feel the necessity strong upon them, they take what they need from other people, when they get the chance. I know it to be the practice of people to go about their business in a motor car, and go about the country driving with a cocked revolver in one hand. They are not afraid of organized bandits of any kind, but of the native who is seeking every opportunity to get something that he needs.

Mr. KEARFUL. That is all I care to ask, Mr. Knox. Is there anything further you would like to state?

Mr. KNOX. There is nothing further save this: Since you have asked me my opinion of the only possible remedy, I feel it necessary to say that if armed intervention is undertaken by this country it must, in order to avoid great difficulty and unnecessary bloodshed, be of such a nature as to make it unmistakable to the Mexican people that this country means business; that it is not another Tampico incident, and above all things, not another Pershing expedition.

Mr. KEARFUL. Do you think that because of those incidents it would be more difficult to convince the Mexicans that we would mean business than it would be if those incidents had not occurred?

Mr. KNOX. I believe that, and those incidents are regrettable as furnishing the arguments which are used in Mexico that Americans will not fight. When making that statement they point to those two incidents.

Mr. KEARFUL. So that in your opinion any strong policy that might be adopted would have to be strongly enforced in order to show them that we mean business?

Mr. KNOX. Yes.

Mr. KEARFUL. And you think that a very much greater demonstration than would have been necessary but for those two incidents?



Mr. KNOX. I do not know that it would have to be numerically stronger than otherwise, but it will have to be more vigorous than otherwise. It must be so vigorous as to be absolutely unmistakable to them as to what is intended.

Mr. KEARFUL. In other words, you believe that whatever we might say at the present time, on account of those incidents, it would be considered a bluff until it is made good?

Mr. KNOX. Until it is made good.

Mr. KEARFUL. I believe that is all, thank you.

(Witness excused.)

### TESTIMONY OF NILS OLAF BAGGE.

Mr. KEARFUL. State your full name.

Mr. BAGGE. Nils Olaf Bagge.

Mr. KEARFUL. What is your business?

Mr. BAGGE. Consulting engineer, 38 Park Row, New York.

Mr. KEARFUL. How long have you been in Mexico?

Mr. BAGGE. I went to Mexico in 1898, making examination of mines in Sonora.

Mr. KEARFUL. How many years have you spent in Mexico since that time?

Mr. BAGGE. On and off, 16 years.

Mr. KEARFUL. Are you acquainted with the conditions in Mexico under Porfirio Diaz?

Mr. BAGGE. Yes, sir.

Mr. KEARFUL. What were they as to law and order?

Mr. BAGGE. They were splendid.

Mr. KEARFUL. Was there any difficulty about transacting business or traveling in any part of the Republic of Mexico?

Mr. BAGGE. None at all. I have traveled on mule back from the Atlantic slope to the Pacific slope several times without any gun or any protection of any kind.

Mr. KEARFUL. Could you do that now?

Mr. BAGGE. Oh, no.

Mr. KEARFUL. When did the conditions change?

Mr. BAGGE. They changed in 1913 and 1914. That is, as far as it affected anything against the Americans. We, of course, were in more or less difficulties between the two conflicting factions, but not as Americans. But in 1913 or 1914 that feeling against Americans commenced to develop.

Mr. KEARFUL. You say in 1913 or 1914. Can you place the date at the happening of some event?

Mr. BAGGE. Yes; at the time that Ordzco began fighting as a red flagger, I think they call them; fighting Villa, who was then fighting under Carranza.

Mr. KEARFUL. That was in 1914, was it not?

Mr. BAGGE. It may possibly have been. I have not the date with me. It seemed to me, though, it was in 1913.

Mr. KEARFUL. The American forces landed at Vera Cruz in April, 1914, and Huerta abdicated in July, 1914.

Mr. BAGGE. Yes; but Huerta disposed of Madero in 1913, was it not?

Mr. KEARFUL. In February, 1913.

Mr. BAGGE. And then Orozco fought under Huerta.

Mr. KEARFUL. Yes.

Mr. BAGGE. At that time a good many outrages had been committed against the Americans, and no retaliation had been attempted, or at least had not been accomplished, and regard for American life had been growing less and less, and that was in 1913.

Mr. KEARFUL. And how have the conditions been since that time? Have they been better or worse?

Mr. BAGGE. They have been particularly bad since Carranza gained control.

Mr. KEARFUL. When was that?

Mr. BAGGE. That was in the early part of 1915.

Mr. KEARFUL. What was the feeling toward the Americans under Diaz and Madero and Huerta?

Mr. BAGGE. The very best, and particularly well in Mexico City; treated as well as we deserved if we acted decently.

Mr. KEARFUL. What have you to say about the statement that has been made often in this country, sometimes emanating from high official sources, that Americans operating in Mexico are not entitled to consideration because they were engaged in exploiting the Mexicans.

Mr. BAGGE. That is mendacity, I think. Most Americans went into Mexico to examine the resources, and they found mines dormant, exhausted, unprofitable. I will give you a few data as to that.

In the years 1872 and 1873, Mexico's gold production was \$976,000; the silver production was \$21,441,000. This was the period before the advent of American-built railways.

In the years 1882-83—that is one decade afterwards—the Mexican gold production was \$956,000, and the silver production was \$29,565,000.

Ten years after, in the year 1900-1901, at the time when the cyanide method was introduced into Mexico by Americans, the gold production was \$8,843,000 and the silver production was \$72,368,795.

Now, that shows that when the Americans built the railroads and opened arteries of trade, and also more ores to be moved, that material benefits came to Mexico.

Mr. KEARFUL. What was the condition of mining properties in Mexico generally when the Americans went in there? Did the Americans, when they went in, find rich, profitable mines, which they took away from the Mexicans for the purpose of exploitation?

Mr. BAGGE. They did not. They found, as I said, the industry dormant, the mines virtually exhausted. They brought their organization ability and industry and their application of up-to-date methods and applied them to that industry, and, as I show by the statistics given you, increased the output. They found that the old bonanza, which had, in years covering centuries, produced these hundreds of millions on which Mexico is exploited as a marvelously rich country, were all worked out, the Mexican had taken the cream and the American got the skimmed milk, but he took the skimmed milk and made it profitable by his ability.

But, before that, I want to say that the Mexican asks and receives a better price from the American than the American would receive from one similarly situated. The reason for that is, in my judgment,

that Mexico had been the land of promise; it had been very well advertised, and the cheap labor, of course, was an incentive, which enabled the Americans, with their better knowledge of working on a large scale, to work these properties.

Mr. KEARFUL. What effect did the operations of Americans have upon the conditions of labor in the mines?

Mr. BAGGE. Well, the Americans found that the Mexican mine owner, in all cases, practically, kept the store, known as the tienda: that the peon, who got very low wages, would be allowed credit, and eventually was in debt to the store. The result was he never had a chance to either take care of himself or his family, or do anything for them.

Mr. KEARFUL. What effect did the American operations have upon that system?

Mr. BAGGE. Well, Americans raised the wages, not because they wanted to compete with the Mexicans, but because their larger-sized operations required more men. That, of course, gave rise to a feeling against the Americans amongst the well-to-do Mexicans, because they raised the wages of the peons. The Americans never ran stores, unless the property was so far away from the railroad that it would be a help to the Mexicans.

Mr. KEARFUL. What about the actual working conditions in the mine? Were they better?

Mr. BAGGE. The Mexican works his mine different from the way we do. He is an excellent miner, a wonderful prospector, but he knows nothing about sanitation. He has no ventilating system, and he works by manual labor where we will apply machinery to lessen the labor, and we installed ventilating systems, something the Mexican had never before had. We put in hoists and cages, where a Mexican would have to carry his ore to the surface on his back, sweating blood all the way for a few centavos a day: there could not be any more of a beast of burden than an ordinary Mexican in the ordinary Mexican mine.

Mr. KEARFUL. How was that condition under the American operations?

Mr. BAGGE. We have applied the same methods we have applied here; sanitation, ventilation, safer system of stopping, whereby we have less accidents from caves; we do not rob the pillars of the mine, like the Mexican has done. After he had taken his bonanza, he would cave his property. That we would not permit. An American would not go into a Mexican mine to work under those conditions, so, of course, we could not expect the Mexican to work where an American would not go in.

Mr. KEARFUL. You worked the Mexicans under the same conditions that you worked the Americans?

Mr. BAGGE. Yes. I will say this, the Mexicans themselves, the mine owners, have improved their methods very much in that regard since they had the example of the American methods, and, at the same time, their methods are still very crude.

Mr. KEARFUL. So that the operation of the American miners has been to improve not only the conditions in their own mines, but those in the Mexican mines themselves?

Mr. BAGGE. Yes; that is so.

Mr. KEARFUL. And with respect to the payment of wages; did the Americans continue the payment from the tiendas?

Mr. BAGGE. No. In the first place you can not apply that the same as the Mexican. It is a little way of doing business. An American does not do it in that way. It is too much difficulty.

I will give you an illustration: A Mexican peon is proverbially improvident. He will not buy a week's supply, probably because he has not the money, so he buys it three times a day. His lard or sugar, he would buy his day's supply three times a day; and the result is that it is a little, picayune amount of business that an American could not bother with. If they tried to run a store, they would always run it at a great loss. If they had run a store, it would have been a financial loss to the company. That is something we learned in this country, but a good many Mexican mines in the early days obtained their only profit from the stores, and none from the mines.

Mr. KEARFUL. Are you personally connected with a mining company?

Mr. BAGGE. I am president of the Almoloya Mining Co.

Mr. KEARFUL. Where is that company operating?

Mr. BAGGE. In Chihuahua, between Jiminez and Parral.

Mr. KEARFUL. With what success have your operations been conducted?

Mr. BAGGE. A total loss of about \$450,000 to date.

Mr. KEARFUL. What amount of money has been invested in that operation?

Mr. BAGGE. Altogether I have been instrumental in bringing in about \$1,500,000 of American money into Mexico. We have taken out possible \$250,000 in profits.

Mr. KEARFUL. Who contributed that money?

Mr. BAGGE. Most of it myself, and investors in smaller and larger sums.

Mr. KEARFUL. Who purchased the shares of stock in your company?

Mr. BAGGE. Yes. And I would say this, which is hardly understood here, that most of the mining operations of Mexico, and the people living there, are only employees or hired help. Those are the ones who have suffered; also the stockholders in these different companies. Like all American companies, capital is raised by a few men getting together a syndicate and arranging the preliminaries and then raising the money from a number of investors.

Mr. KEARFUL. When did you begin operations?

Mr. BAGGE. Our company, in 1902.

Mr. KEARFUL. When did your difficulties begin?

Mr. BAGGE. At the start of the Madero revolution, 1909, I think it was.

Mr. KEARFUL. Please describe what happened then with reference to contributions and depredations, etc.

Mr. BAGGE. Well, at that time I was president of a company known as the Compania Minera Rio de Plata, over on the western side of the State of Chihuahua, at the junction with the State of Sonora and Sinaloa, 13 miles from the railroad. At that time we had about 300 mules packing in machinery and supplies and bringing out bullion and concentrates, and one of the best packers we had was a man named Orozco.

Mr. KEARFUL. Pascual?

Mr. BAGGE. Pascual Orozco. I brought in six .30-.30 Winchester for the use of the mine, because it is a pretty rich property, and in that property and all other properties in Mexico we paid full value for every dollar in sight in that mine, which was \$350,000 gold. We put in a mill costing about \$500,000 gold.

There is one thing about the exploitation claimed against Americans in taking out these millions from Mexico, and that is seldom considered, but it costs from 70 to 85 per cent of what you obtain to produce the silver bullion, and that money is applied to wages and supplies which go to Mexico, so, if you take out \$1,000,000 in bullion, about \$850,000 of that stays in Mexico. The price of producing an ounce of silver varies, of course, in some cases up to over 50 cents an ounce. It possibly is higher now because other things have gone up, though present silver is higher than it has been since 1873.

Mr. KEARFUL. But you are not able to take advantage of that under present conditions, are you?

Mr. BAGGE. Not at all. We have quite a lot of ore too low grade for us to work at the time the revolution started, and which we could make money on to-day, but we can not get at it.

Mr. KEARFUL. Do you have any special concessions from the Mexican authorities which gave you advantages over the Mexicans in that locality in operating mines?

Mr. BAGGE. None at all. I could have gotten what they call concessions, which means practically licenses, but the duties and obligations that they bring with them are such that it is not worth while to bother with them.

Mr. KEARFUL. Please proceed to describe the troubles that you encountered at the beginning of the Madero revolution.

Mr. BAGGE. We had no particular difficulty with Orozco, because he was a friend of ours, and respected Americans, I think, considerably.

Villa at that time appeared, and he used to make his headquarters south of Allende.

Mr. KEARFUL. What year was that?

Mr. BAGGE. That was in 1910; but he was not very formidable at that time. That is, we never took him very seriously. Our real trouble started in 1913 and 1914, after the administration ordered us out of Mexico. That forced us to abandon the mine, and fungus grew up on the timbers and quickly rotted them, and we had much difficulty to operate, and we were robbed occasionally; that is, had to give something to the cause, gasoline or dynamite, or corn, beans, and clothes, and occasionally a little money.

Mr. KEARFUL. By whom were these exactions made?

Mr. BAGGE. Well; they were so many I can not remember offhand, but there were Urbina and Villa—

Mr. KEARFUL. Urbina was under Villa?

Mr. BAGGE. He was under Villa in Durango; Herrera, Hernandez—

Mr. KEARFUL. Who is he?

Mr. BAGGE. He is under Carranza.

Mr. KEARFUL. Who else?

Mr. BAGGE. De la Fuente.

Mr. KEARFUL. Who was he?

Mr. BAGGE. He was not a bandit, but he was an engineer, really, that tried to become president of Mexico for a little time, but I think he was one of the adventurers of Madero against Huerta. He did not last very long. It was Herrera came up and took our superintendent, who was an American, and he took the two superintendents of the adjoining mines, both Mexicans, and very fine Mexicans at that, and he held all three of them for a ransom.

Mr. KEARFUL. Who did this?

Mr. BAGGE. Herrera, under Carranza, and he got a check for 5,000 pesos from one of the superintendents and they let him escape. The other Mexican could not give any check or promises. I think his company was too poor, so they took him down to a pumping station about a mile and had our superintendent look on while they shot him. He was a very fine young fellow.

Then, they took our superintendent to the railroad station, and the train came along and they searched the train and found four Mexicans on there, made them get off the train and told them to run, and the whole bunch then shot at them, and thought it great sport. Then they took our superintendent eventually and marched him about 60 kilometers behind the mounted troops, only one man guarding him, eating their dust, and they had then impressed him as a soldier of the cause, and by promising to pay 750 pesos to Herrera's brother, who was operating at Parral at that time, and which we did eventually pay, he got back in a few days in bad physical condition, and we had no further trouble with Herrera.

Mr. KEARFUL. Your superintendent was an American citizen?

Mr. BAGGE. An American citizen; yes.

Mr. KEARFUL. Did you report this incident as to ransom and payment of 750 pesos to American authorities?

Mr. BAGGE. Oh, no.

Mr. KEARFUL. Why not?

Mr. BAGGE. What was the use? We got over that some time before.

Mr. KEARFUL. What was the reason for your attitude?

Mr. BAGGE. Because other people had tried that and found that they got no satisfaction. The general feeling among the Americans was that the best thing to do was to take their medicine.

Mr. KEARFUL. What was the feeling of the Mexicans toward Americans up to the time of the resignation of Huerta?

Mr. BAGGE. Well, previous to the Madero revolution, I distinctly remember there was quite some agitation in Mexico which claimed "Mexico for Mexicans." That was backed by the middle class of Mexicans, the school teachers and the notaries and the middle-class people. They saw one mine after another that was a failure under the Mexicans become prosperous under the Americans, and I think it raised a little bit of jealousy, and at that time there was a lot of labor agitation in Mexico, and these agitators would go and try to form labor unions, not exactly as we have them here, but on that line. They also agitated at that time to eliminate the American railroadmen from operating the Mexican trains, and, of course, eventually the American railroad men were withdrawn as train conductors and engineers as soon as the Mexicans were capable of running them

themselves. I think Madero was partly responsible for that agitation; at least, he never did suppress it, but there was no feeling against individual Americans. There was the very best kind of feeling.

Mr. KEARFUL. Up to what time?

Mr. BAGGE. Up to 1913 and 1914.

Mr. KEARFUL. Up to the time when the Americans were ordered out of Mexico by this Government?

Mr. BAGGE. At that time, when no reprisals were made for raping of American women and children, and we quit. Up to that time I think the Mexicans did respect us.

Mr. KEARFUL. You heard the testimony of Mr. Knox, of the attitude which took the form of denominating Americans as "white Chinamen"?

Mr. BAGGE. Oh, yes.

Mr. KEARFUL. Is that correct?

Mr. BAGGE. That is very common. You will hear Mexicans say, "What kind of people are you, anyhow? We have raped your women; we have spit on your flag, and insulted your Government, and killed your men, and still you will not fight."

That is a common thing in Mexico.

Mr. KEARFUL. What was the attitude of Villa towards Americans?

Mr. BAGGE. Villa was rather fair to Americans. I remember in 1915, after we had been ordered out, Villa got control of Chihuahua and we started to work. I spent quite some time there during that period under Villa. We had, so far as Americans were concerned, reasonable law and order. A number of murders occurred amongst the Mexicans, but not of the Americans. He put the railroads in fair condition, considering what they had been, and he started a number of industries; the smelter started up, and we were doing very well until Villa got into difficulty with his fiat money, and then his trouble started; and then Obregon defeated him, and infiltration of Carranza soldiers would occur, and it got too uncomfortable for us.

Mr. KEARFUL. You spoke of contributions levied by different parties. In what way would those contributions be exacted?

Mr. BAGGE. Well, they would come up and ask for five cases of gasoline for their automobiles, or five cases of dynamite, fuses, and caps, and they would give you a receipt for it and promise to pay at some future time. but when Carranza came in there, Obregon being the chief, they would take a carload of gasoline and you go to them and ask for receipts they would shrug their shoulders; you could get nothing out of them. Just simply came and took it and laughed at you; spit at you if you showed any spunk, but we could not show any spunk. They took our guns away from us; we were absolutely defenseless then.

Mr. KEARFUL. Did you appeal to your Government for protection?

Mr. BAGGE. No.

Mr. KEARFUL. At no time?

Mr. BAGGE. I did not, but lots of other people did, I know.

Mr. KEARFUL. The reason you did not was because you saw the result of their efforts?

Mr. BAGGE. I know that I was a member of a little defense society in El Paso amongst the mining men, and they sent a delegation up

here to see the Government—the heads of the Government—and they reported they were insulted and called renegades and a few other choice things, and I thought, "What is the use"?

Mr. KEARFUL. What was the reason given by the authorities here for insulting them and calling them renegades?

Mr. BAGGE. Well, at that time they were saying that Americans that went beyond their own borders for profit expected greater interest on their money than what they would get in the United States, and they should take the risk. That was one of the reasons given. Of course, that was the attitude toward the beginning. Now, the stand is a little different.

Mr. KEARFUL. Do you think they have taken a different stand in regard to protecting Americans in Mexico?

Mr. BAGGE. Not at all in Mexico; but I think eventually we will have a policy on account of the greatly increased merchant marine, which will demand the protection of Americans all over the world—similar to England.

Mr. KEARFUL. Do you think it is possible for any country to extend its foreign trade without its citizens going into foreign countries?

Mr. BAGGE. That is impossible.

Mr. KEARFUL. Do you think it is possible for citizens of a country to go into foreign countries to extend operations without receiving protection from their own Government in case it is not given by the foreign Government?

Mr. BAGGE. An American might take a big risk in going into a foreign country, but he can not obtain the capital to expand his trade unless protection is given to him.

Mr. KEARFUL. Well, was it true that you and your associates, who, you say, sent a delegation to Washington, were engaged in making any fancy profits from large bonanzas in Mexico?

Mr. BAGGE. I know of no American mining men who found a bonanza in Mexico that he did not pay 100 per cent, value received. As a matter of fact, I feel that bonanzas found for the the picking up is a myth. The Mexican is a splendid prospector. Every foot of ground in the Sierras has been prospected and shows ore, and you can not beat him in operating on a small scale, for a small mine. The only place you can do it is where you have combined large capital; you can not get a Mexican to put in any amount of capital into a proposition that involves such a risk that an American would consider good business judgment.

Mr. KEARFUL. What has been the secret of Villa's power and success and ability to escape capture?

Mr. BAGGE. Well, there are two reasons for it. The first is that the peon believes in Villa. He is one of their own, and he has a good deal of their confidence. If not, of course, he would have been captured long ago. The other reason is, the Carranza generals would lose the best part of their profits if they captured many of the bandits.

Mr. KEARFUL. You think it is the policy of the Carranza generals to keep banditry alive in order to enrich themselves?

Mr. BAGGE. Oh, there is no argument on that at all.

Mr. KEARFUL. You think that is the fact?



Mr. BAGGE. That is undoubtedly the fact. That you can see very easily. You can see Federal troops within three miles of so-called bandits, and they go and sit down and take lunch, and the bandits are not attacked.

Mr. KEARFUL. Where does Villa get his munitions of war?

Mr. BAGGE. The information that I have on that subject is, of course, from people who have been down there lately, and they say he gets most of the ammunition from the Carranza troops, or from the women. That is, the women camp followers.

Mr. KEARFUL. Women camp followers of the Carranza troops?

Mr. BAGGE. Of the Carranza troops; yes. That is the usual practice among Mexicans, to sell ammunition to them.

Mr. KEARFUL. How do the actions of the Carranza troops compare with those of the so-called bandits headed by Villa and others?

Mr. BAGGE. Well, many citizens say that the Carranza troops were more ruthless than Villa's. The only time that they were really vicious was at the time Orozco and Villa fought. Then Villa would kill every prisoner of the red flag under Orozco. They do that, I believe, to a less extent at present. I think Villa, while he shoots a good many prisoners, he accepts a good many of the Federals, because most of the Federals are not free volunteers to the Carranza forces.

Mr. KEARFUL. What about the acts of the various factions in reference to prominent women of the towns they capture?

Mr. BAGGE. Well, I was in Jimenez after one of those raids, and the usual practice is to take the wife and daughters of any of the prominent men they could get and turn them over to quarters where the houses of prostitution are located and let the soldiers in there.

Mr. KEARFUL. Is that the practice followed by the Carranza forces?

Mr. BAGGE. Why, I think that is the general practice of both forces. I was at the mine one day when an old blind woman was brought to me, and she said, "For the love of the Mother of God, give me some help." I asked her what was the matter, and she said her daughter had been looking after her, but "the revolution had taken her." That is the way she expressed it, and that they had taken everything she had, even her underclothes. This old woman lived in a hole in a side of an arroyo, where a cave had been dug out and an old sack served as a door, and that was rather typical of the heartlessness of Carranza troops. I think. You see girls 10 years old and you will swear they are 30 years old, from their faces.

Mr. KEARFUL. Were you in Mexico at the time of the Pershing expedition?

Mr. BAGGE. No; I was in Arizona at that time. I was on the railroad, I think, a few hours away from Columbus, at the time.

Mr. KEARFUL. Did you ever have any conversation with any officers of the Pershing expedition in reference to their getting Villa?

Mr. BAGGE. Yes; I talked with a captain, had a long conversation with him. I told him I could not understand how he could get so many Mexicans into Columbus without being noticed, and he told me that that was rather simple, that the orders from Washington were that if a Mexican soldier would leave his arms on the other side of the fence—you see the United States and Mexico are divided by a

hog-proof wire fence all along the line—and if they would leave their arms on the other side of the fence they could come in, while our troops, if they went over to the Mexican side, merely for a visit, unarmed, they would be arrested on the Mexican side and court-martialed on our side, so there were no doubt a great many Villa bandits within the town of Columbus before the attack, and he told me that he started with 35 men within an hour after they had repulsed the attack, but he had started without orders, and realized he had to return, but within a day or two they went down en masse, down to Satevo, I think it was he told me, and they could have gotten Villa within three or four hours' ride without any trouble if they had been permitted to go ahead. I understood that Pershing was notified by Gen. Trevino that if he advanced south, east, or west he would be attacked and Pershing said that if he decided to go east, south, or west, he would go, but he did not.

Mr. KEARFUL. He also said if he were attacked he would use his whole forces?

Mr. BAGGE. Whole forces, yes.

Mr. KEARFUL. He was attacked, was he not?

Mr. BAGGE. Yes, sir.

Mr. KEARFUL. And did not use his forces?

Mr. BAGGE. And did not use his forces.

Mr. KEARFUL. What was the situation at Parral?

Mr. BAGGE. Our troops had arrived as far down as Dorado, or Boca station—that is about 250 miles from our border—when they ran into a bunch of Mexicans which they thought were Villistas, but it seems they were Carrancistas, and they killed and wounded a few, and these troops then went into Parral; I think most of our troops came in there on a visit, buying fruit, and some of the men were run out. The men were attacked, one or two killed, and they got an order to retreat. I believe they ran about 80 miles—not because of fear, but that was the orders.

Mr. KEARFUL. Well, was not Villa then in the vicinity of Parral, wounded and unable to travel?

Mr. BAGGE. I think Villa was at a place called Allende. That is a few miles from Parral.

Mr. KEARFUL. And was it not the opinion of the officers of the Pershing expedition that if they had been permitted to proceed they could have gotten Villa there?

Mr. BAGGE. Oh, yes; they could have gotten Villa in two ways. They could have gotten him if they were permitted to go ahead, as they were anxious to do, or if they had been permitted to go down on the Mexican Central Railroad. They had all of the trains and equipment ready, and going on the railroad they could have cut across the country and headed him off without any trouble.

Mr. KEARFUL. What do you find to be the sentiment of the Mexican people, that is, the laboring classes, as to what ought to be done to remedy the conditions?

Mr. BAGGE. The laboring classes?

Mr. KEARFUL. Yes.

Mr. BAGGE. Oh, I do not think they have any opinion. All they want is to be left alone and given a chance to earn their living.

Mr. KEARFUL. Do they constitute a large percentage of the Mexican population?

Mr. BAGGE. Oh, 90 per cent, I should say.

Mr. KEARFUL. What do they hope for, if anything?

Mr. BAGGE. I think they have no hope. I think the Mexican peon is absolutely without hope.

Mr. KEARFUL. What have you found the opinion of the intelligent Mexicans in regard to what ought to be done to remedy the conditions?

Mr. BAGGE. Well, the fine type of Mexican that we used to know in the olden days, and who is now a refugee, is appreciative of what America has done for Mexico. He is also friendly disposed to America. He has no illusions about the difficulty of bringing the peon to a plane that he thinks he wants to reach, and those better kind of Mexicans are discouraged with the outlook.

Mr. KEARFUL. You say that class of Mexicans are now living outside of Mexico?

Mr. BAGGE. Very few of the high-type Mexicans live in Mexico to-day.

Mr. KEARFUL. What is the reason they are outside of Mexico?

Mr. BAGGE. Persecution from every side.

Mr. KEARFUL. Is that the class of Mexicans which, in your opinion, it is necessary to rely upon to reestablish good government in Mexico?

Mr. BAGGE. He is the only one that can do it, if he can do it.

Mr. KEARFUL. Do you think they can do it without assistance from the outside, they themselves being on the outside?

Mr. BAGGE. I doubt it. I can not conceive how they could do it without help.

Mr. KEARFUL. Have you talked with any of them about their hopes in that respect?

Mr. BAGGE. Yes.

Mr. KEARFUL. What did they say?

Mr. BAGGE. As a rule, the better type of Mexican does not wish to put himself on record as wishing this country to do anything. They have a peculiar notion and they can not agree amongst themselves. They would take a man and then get him help in some matter, either money or munitions and freedom of import duty, and they think they could rally around the man, but when you analyze their talk you find that eight of that type of Mexicans going to pick a leader, they will pick eight leaders. A South American told me sometime ago that "We Latin-Americans are so different from you, in that you are willing to pick a leader and back him after election, while we all want to be major-domos." I think that expresses the situation in reference to the difficulty of the Mexicans to stand for a principle and not for a man.

Mr. KEARFUL. You think their politics is personal rather than on principle?

Mr. BAGGE. Oh, yes; entirely so; and the peon will fight for his jefe, or captain, but he does not know what he is fighting for; he can not tell you; nor can any man tell you why they have had this revolution. At least, I have never been able to find one.

Mr. KEARFUL. Generally the leader in a revolution starts with a manifesto, in which he promises the peons that they will have restored to them the land that has been taken away from them.

Mr. BAGGE. Oh, yes.

Mr. KEARFUL. That is always the case, is it not?

Mr. BAGGE. Always the case; wonderful when it comes to manifestos; beautiful language. Carranza had a very clever scheme. He promised the Mexicans, of course, not only the land, but he was going to do a lot for the miners. He did a lot to them but not much for them. One of his schemes was—and I suppose it is still the law, for all I know— was that if a man was discharged for incapacity because he got drunk or anything else, you had to pay him three months' wages. Another thing was if a man got the stomach ache, or claimed he had one, and reported sick, you had to support his family. His family, of course, usually was composed of one or two women and a number of children, and all the relatives, and a few hundred dogs.

That is only one or two of the difficulties that my managers had to contend with under Carranza. There were so many other restrictions that unless you wanted to break the law every day and subject yourself to different kinds of fines, which you could overcome by paying blackmail, it was difficult to operate.

Mr. KEARFUL. What do you think of the favorite promise of dividing up the land amongst the peons? Is that practicable?

Mr. BAGGE. Well, I found that wherever there is any land that is suitable for irrigation in Chihuahua you find a great many small landowners there. Gov. Terrazas has, of course, a tremendously big ranch; I think they claim many millions of acres, but outside of the grazing land, I do not see much possibilities of that land being suitable for cultivation without irrigation. I know down at Conchos, at the Conchos River, there is a large Canadian and English irrigation project, a wonderful one, which covers some 200,000 acres, and that land is poor, desert-like, and unless there is invested a large amount of capital, which those projects require, and which they have not got, that land is unfit for any other purpose but possibly poor grazing, say one cow to 50 or 60 acres.

Mr. KEARFUL. Would it be impossible for a peon to support himself upon a small tract of that land by agriculture?

Mr. BAGGE. I do not know if any peon really does support himself from the land. He usually works a few months cultivating the tract of land he has, and then works in the mines or on the railroads, or some other place during the balance of the season. It is only the planting season and the harvesting season that he really sticks to his land.

Mr. KEARFUL. You think that those fair sounding promises that are made in the revolution manifestos are honest, as a rule?

Mr. BAGGE. No; I do not. There is one thing about this Mexican land question that I had occasion to test. During Villa's time we had quite a little trouble getting corn and beans to our men on account of the low value of his money, and before the rainy season started, which starts, I think, in June, San Juan Day, the 26th of June it usually starts in officially, we got a bunch of these fellows together and said, "Here, we will fix it up with the men that own the land down here, owning many thousands of acres of land, that you can use this land out here and we will supply you with food and half pay if you will cultivate that land in corn and beans and be ready for the rainy season, and then we will pay you full price for the corn and beans, so we can sell it to you fellows while working here at the mine."

Of course it would cost us quite a little money to do it, but they started breaking the land, which is very easily broken, but before a month they all wanted to quit; they all wanted to go back to work at the mine, because they said the miner, he is getting more money than we do. They were not so land hungry that they would try that experiment.

Mr. KEARFUL. What is your opinion about what ought to be done to remedy the conditions in Mexico?

Mr. BAGGE. That is the last question, I suppose.

Mr. KEARFUL. That is the question that troubles us.

Mr. BAGGE. Well, fundamentally, that is a question that our administration should have answered. That is what they have been hired to do. I can see no solution to the Mexican situation without active assistance from our people.

Mr. KEARFUL. What form should that assistance take, in your opinion?

Mr. BAGGE. Two plans. One is withdraw recognition from Carranza, blockade the ports, possibly take the shipping ports, and thereby drive Carranza and his gang of thieves from Mexico, and then back the decent Mexicans with ammunition and funds and exact from them certain binding agreements which our State Department ought to be able to formulate, and the other is to take charge of it alone, go in there, and establish a constabulary, the same as we did in the Philippines and Cuba, and let the Mexicans run the country, the same as we are taking charge of the Philippines or backing Cuba. That is the only solution I can see. Either one is a painful one, but we have to face it.

Mr. KEARFUL. Which one do you prefer?

Mr. BAGGE. Well, naturally, I prefer the first one, because the second one would mean both of my boys would go in that, as they did in the late war.

Mr. KEARFUL. You believe the first thing would be for this Government to withdraw recognition from Carranza?

Mr. BAGGE. That is the first thing, under any condition.

Mr. KEARFUL. And support with arms and finances the decent class of Mexicans who are now exiled from the country?

Mr. BAGGE. Yes, sir; and those decent Mexicans which we know are friendly to America living in Mexico.

Mr. KEARFUL. How do you think that project would be received generally in Mexico, outside of those who are now making money out of the government operation there?

Mr. BAGGE. I think favorably. The peon would certainly welcome it. I think, within a very short time, we would have a very efficient organization of Mexican troops who could put down the banditry, if they were backed by American officers, put in charge of American officers.

Mr. KEARFUL. I believe that is all I wanted to ask. Is there any further statement you would like to make?

Mr. BAGGE. No, sir; I can not think of anything right now.

Mr. KEARFUL. Well, you may be excused; we are very much obliged to you.

We will take a recess at this time until 2 o'clock.

(Whereupon, at 1 o'clock p. m. a recess was taken until 2 o'clock p. m.)

## AFTER RECESS.

The hearing was resumed at the expiration of the recess.

**TESTIMONY OF MR. VICENTE SANCHEZ GAVITO.**

(The witness was duly sworn.)

Mr. BENNETT. As attorney for Mr. Gavito, I wish to state that Mr. Gavito is a citizen of the Republic of Mexico. When he received your subpoena he came to me and asked if a citizen of Mexico could be compelled to come here under that process, stating he had no desire to appear. I, of course, advised him that he had to obey your subpoena, and I wish it distinctly understood that he is here pursuant to a due and lawful subpoena which requires his presence before this committee.

Mr. KEARFUL. In response to the statement made by Mr. Bennett, I wish to say that the committee fully appreciates the delicate position that a Mexican citizen is placed in by being called on to testify, but at the same time, it is believed that the opinions of the class of Mexican citizens who are called here are of great benefit to the committee in the recommendations which it will have to make, and believes that however embarrassing it may be to such witnesses, that it is really a great opportunity for them to perform a patriotic service for their own country, and as the law of this country does not exempt the attendance of witnesses on committees of Congress because of alien citizenship, the testimony will proceed.

Will you please state your full name?

Mr. GAVITO. Vicente Sanchez Gavito.

Mr. KEARFUL. What is your citizenship?

Mr. GAVITO. Mexican citizen.

Mr. KEARFUL. Where do you live at the present time?

Mr. GAVITO. 1807 Broadway, New York.

Mr. KEARFUL. What is your business?

Mr. GAVITO. I am in the export and import business. I am president of a company and counsel for some Mexican matters.

Mr. KEARFUL. What was your profession in Mexico?

Mr. GAVITO. A doctor and lawyer.

Mr. KEARFUL. Did you practice both of those professions?

Mr. GAVITO. No; lately I only practiced law.

Mr. KEARFUL. What official positions have you held in the Mexican Government?

Mr. GAVITO. I only was elected to the Senate in 1912, and I stayed in the Senate until October 15, when it broke up.

Mr. KEARFUL. It was dissolved?

Mr. GAVITO. The Congress was dissolved.

Mr. KEARFUL. When did you leave Mexico?

Mr. GAVITO. I left Mexico City August 4, 1914.

Mr. KEARFUL. That was about the time of the entry of Carranza into Mexico City?

Mr. GAVITO. A little before.

Mr. KEARFUL. From Mexico City to what border point did you go?

Mr. GAVITO. I went to Vera Cruz.

Mr. KEARFUL. Vera Cruz was then in the hands of the American forces?

Mr. GAVITO. Yes, sir.

Mr. KEARFUL. Under whose command?

Mr. GAVITO. Under the command of Gen. Funston?

Mr. KEARFUL. How were you received by Gen. Funston?

Mr. GAVITO. I never met him.

Mr. KEARFUL. Did your party have anything to do with the American forces there in reference to accommodations, or leaving the country?

Mr. GAVITO. Not except we were advised to leave the country, because the American troops were going to be in control.

Mr. KEARFUL. What information did you receive as to the attitude of Gen. Funston with respect to Mexican refugees coming through Vera Cruz?

Mr. GAVITO. It was a very fair one.

Mr. KEARFUL. What action did he take in their favor?

Mr. GAVITO. I think, according to the rumors among the Mexican refugees in Vera Cruz, he had been ordered to withdraw the American forces in three or four days. He did not obey the orders, because he wanted to let the Mexican families have a chance to get a boat. By that time almost all of the steamers which rendered usual service between Mexican and American ports had stopped because the war had broke out, and it was a very difficult thing to get any accommodations.

Mr. KEARFUL. You understood that Gen. Funston took that action for the protection of Mexican refugees who wanted to leave the country, without orders from his Government, and, in fact, contrary to the orders he had received?

Mr. GAVITO. I really thought that it was contrary to the orders given to him, but I can not be very emphatic in this matter, because, of course, I do not know. I think he was actuated by high humanitarian purposes, because our families would have been handed over to the mercies of the revolutionary group.

Mr. KEARFUL. What was the reason for the families of certain Mexicans leaving Mexico at that time?

Mr. GAVITO. There were two reasons. Some Mexicans had all kinds of reason to think that the revolutionary group would exercise some revenge or reprisals on them, and another group, to which I belonged, left the City of Mexico only not to be present at the looting and disorders that we feared would follow.

Mr. KEARFUL. Are you acquainted with Manuel Calero?

Mr. GAVITO. Yes, sir.

Mr. KEARFUL. Where is he living now.

Mr. GAVITO. In New York.

Mr. KEARFUL. What official positions did he hold in the Mexican Government?

Mr. GAVITO. I think, during the whole of Gen. Huerta's régime, he had the office of under secretary of fomento. Afterwards he was elected as representative in the house. Then, under the Madero régime, he was secretary of justice and, I think, secretary of fomento.

Mr. KEARFUL. Of foreign relations?

Mr. GAVITO. Of foreign relations, and afterwards ambassador from Mexico to the United States, and afterwards he went to the senate at the same time I was there.

Mr. KEARFUL. Are you familiar with the book written by Mr. Calero, about September, 1916, entitled "The Mexican Policy of President Wilson as it Appears to the Mexican"?

Mr. GAVITO. I read it about that time, but I do not remember it very well.

Mr. KEARFUL. On page 26 of Mr. Calero's book is this statement:

The revolutionists signalized themselves by the most cruel manifestations of savagery, by a ferocity without limits. It is true that Huerta is as responsible as Carranza for the inhuman act of sacrificing prisoners of war, whom both contending parties put to death without mercy; but the forces of Carranza committed other excesses, such as the sackling of towns, attacks against the honor of women, profanation of temples, the assassination of pacific inhabitants, the expulsion en masse of foreigners, and destruction by fire and dynamite.

Do you recognize that as a true picture of the operations of the revolutionists under Carranza?

Mr. GAVITO. Yes; I think it was common talk; it was known by everybody. However, I have not first-hand information, because I never stayed in any city during the time it was occupied by the revolutionists.

Mr. KEARFUL. On page 31 of his book Mr. Calero gives an account of the surrender of Mexico City to Carranza by temporary President Carbajal. According to Mr. Calero, Carranza demanded unconditional surrender of the city. Carbajal, who had been called to occupy the presidency because of his position on the Supreme Court, and knowing the excesses that had been committed at other places, such as San Luis Potosi, asked, as a condition of surrender, that the lives and property of the people be protected, but Carranza refused to admit any condition, and in that position, Carranza having been supported by the American Government, Carbajal was forced to acquiesce, and the city was unconditionally surrendered.

Do you remember whether that was a true statement of the conditions? Were you there at the time?

Mr. GAVITO. No; I was not; because, as I said before, I left the town on the 4th of August, and the revolutionists went into Mexico City the 14th or 15th, but the news that we got in Vera Cruz in regard to all these facts substantiate what Mr. Calero says.

Mr. KEARFUL. Mr. Calero then goes on to state, on page 31, as follows:

What happened then is something that the American Government has not dared to publish. The few honorable constitutionalists shudder to recall it. The Department of State has in its archives the official information of the outrages committed by the so-called constitutionalists in the great capital of Mexico. Never had the city suffered such indignities, not even in the blackest days of our revolutionary life. Even the diplomatic representatives of the foreign governments were robbed by Carranza "generals" and by the mob of ravenous politicians that followed Carranza; even the Brazilian minister, official representative of the United States, was robbed.

And again on page 78, speaking on the same subject, Mr. Calero says:

The revolutionists entered a place, and the inhabitants, terrorized, shut themselves up in their houses, concealed their wives and their daughters to save them from the lust of those ferocious beasts, and concealed their properties to save them from pillage.

Do you recognize those statements as being true, to the best of your information at that time?





Mr. GAVITO. Yes. I would have to give the same answer I gave to the former questions. I have not first-hand information, but I think it is true.

Mr. KEARFUL. What became of the house in which you and your father were living at the time the Carranza forces entered Mexico City in August, 1914?

Mr. GAVITO. It was twice occupied, once by the Zapatistas, and then for the Carrancistas, and the general who went into our dwelling and occupied it against our will was Bonillas.

Mr. KEARFUL. Ignacio Bonillas? The man who is now Mexican ambassador to this country?

Mr. GAVITO. Exactly.

Mr. KEARFUL. Do you know, from information you have received, about what happened to the contents of the houses that were occupied?

Mr. GAVITO. The houses that they occupied?

Mr. KEARFUL. Yes.

Mr. GAVITO. I think the majority were stolen by them, and another part was destroyed, and some personal belongings were left in the houses.

Mr. KEARFUL. Well, shortly stated, they were looted, were they not?

Mr. GAVITO. Yes. I ought to say that our house was not looted, except valuable books in our library, and small things.

Mr. KEARFUL. Some personal belongings?

Mr. GAVITO. Yes.

Mr. KEARFUL. Do you know Francisco Bulnes?

Mr. GAVITO. Yes, sir.

Mr. KEARFUL. Was he a prominent man in Mexico?

Mr. GAVITO. Yes, sir a very prominent man; was one of our best men, and a very learned writer.

Mr. KEARFUL. He is recognized as quite an illustrious historian. is he not?

Mr. GAVITO. Yes; although it is generally admitted that he is a one-sided man. In other words, he is too passionate in his judgments.

Mr. KEARFUL. He makes a statement in a book which he published entitled, "The whole truth about Mexico," on page 295, about the acts of the so-called constitutionalists, and says, speaking about the agrarian problem, as follows:

And the land holdings, the great land holdings. what of them? The greatest among them passed into the hands of the constitutionalist chiefs, to be enjoyed with the rights of absolute ownership. What had constituted the great offense against the poor had become the great plum of the conquest. All the personal property of the wealthy was appropriated by the constitutionalists. Handsome residences, automobiles, jewelry, furniture, money, clothes, everything possessed by the aristocrats, and even those who were not aristocrats, was taken by the revolutionists.

Do you think that is too passionate a statement?

Mr. GAVITO. No; it is perfectly correct. But I should say that was done not only by the Carrancistas, but also by the other revolutionists, the Zapataistas and the Villistas.

Mr. KEARFUL. You are aware of the fact that since the beginning of the late revolutionary troubles in Mexico the American Govern-

ment has not afforded any protection whatever to American citizens or their property in Mexico? You are aware of that fact?

Mr. GAVITO. Yes, sir.

Mr. KEARFUL. You have also heard, I suppose, as a justification for that policy, that the Americans who had been and were operating in Mexico were a class of speculators engaged in exploiting the Mexican people under special concessions that had been granted to them by the government officials? You have heard that also, have you not?

Mr. GAVITO. Yes, sir; I have seen that in the press.

Mr. KEARFUL. What can you say about the truth of that statement, that the Americans operating in Mexico were a class of speculators and exploiters?

Mr. GAVITO. Of course, I believe that when they went to Mexico they were actuated by the purpose of getting benefits.

Mr. KEARFUL. Naturally.

Mr. GAVITO. They did not go for utilitarian purposes, but I think it would not be fair to say they have been exploiting the country. They have invested money——

Mr. KEARFUL. First, as to the character of Americans operating in Mexico, you came in contact with them a good deal, did you not?

Mr. GAVITO. Yes, sir.

Mr. KEARFUL. What sort of people did you find them to be?

Mr. GAVITO. Very good people; they deal with the peons very fairly. They respected the laws of our country, and they were highly esteemed by us.

Mr. KEARFUL. Did they comply with the laws generally?

Mr. GAVITO. Yes; law-abiding always.

Mr. KEARFUL. Were they professional and business men, such as mining engineers?

Mr. GAVITO. Yes; lots of them; and lawyers and bankers.

Mr. KEARFUL. And doctors?

Mr. GAVITO. Doctors, yes; and all of them of fine character, and afterwards they have associated with the Mexicans in the progress of the country.

Mr. KEARFUL. Do you believe the operations of American capitalists under American professional men and business men in Mexico has been for the benefit or detriment of Mexico?

Mr. GAVITO. I should say for the benefit. We have only one exception. The oil interests, because I really have no knowledge about them. I could not state anything because I do not know what is the oil situation.

Mr. KEARFUL. But aside from the oil situation?

Mr. GAVITO. Yes.

Mr. KEARFUL. What form did the benefits take that you observed as flowing from these enterprises?

Mr. GAVITO. Because they imported capital; they raised the standard of living of laborers and they opened new fields for the development of the country.

Mr. KEARFUL. What is the truth about this bugaboo of enormously rich concessions that are said to have been acquired by means of bribery of government officials?

Mr. GAVITO. Oh, it is absolutely untrue.

Mr. KEARFUL. What can you say about the operation of those concessions?

Mr. GAVITO. As a matter of fact, almost all of the concessions of the old régime were given to Mexicans, and they afterwards sold or transferred their rights to British or to American capitalists, and my own experience as a lawyer is that in a majority of those cases the first or second company that tried to operate on those concessions failed. They made big investments and they did not get their money back, only after many years. The development was successful, of course, through big investment and big effort.

Mr. KEARFUL. And even then, were there rich profits?

Mr. GAVITO. No; not so much as people seemed to think.

Mr. KEARFUL. What form did these concessions take? What were they?

Mr. GAVITO. Some times they were for the development of national lands. The Government gave the lands under some conditions, the price to be paid in installments with Mexican bonds and cash, and some colonization to be established. In the majority of the cases the difficulties were so hard that the grantees could not comply, and, of course, the Government, many times would have to grant more time, and delays to get more facilities in order to facilitate the accomplishment.

Mr. KEARFUL. What favors were granted?

Mr. GAVITO. To the concessionaire.

Mr. KEARFUL. To the concessionaire?

Mr. GAVITO. Just to import machinery and tools free of taxes; some times to exempt from taxes the properties during 10 years, or something like that.

Mr. KEARFUL. And then the concessionaire would be compelled to deposit Government bonds?

Mr. GAVITO. Always.

Mr. KEARFUL. As security for the performance of the conditions?

Mr. GAVITO. Exactly.

Mr. KEARFUL. In case of failure to perform, unless an extension of time were granted—

Mr. GAVITO. They would be forfeited.

Mr. KEARFUL. The security would be forfeited?

Mr. GAVITO. Yes.

Mr. KEARFUL. And those concessions, according to your observations, were not very profitable to begin with?

Mr. GAVITO. No. Of course, when the country became prosperous and the business took a better turn, the concessionaire's profit increased.

Mr. KEARFUL. Mr. Calero, in his book, on page 83, makes the following statement in regard to concessions:

To develop her great resources, Mexico, a country without capital, needed to resort to foreign capital, and the Government of General Diaz had to employ certain stimuli to induce capitalists to invest their money in a country which, on account of its turbulent past, inspired little confidence. Therefore, the following system was adopted: Any one who would oblige himself to invest a certain amount of capital in an enterprise was exempted for a certain number of years from certain kinds of taxes, and was permitted for a limited time to import free of customs duties the machinery and tools which he needed for his industry. This contractor—the concessionaire as he was called—signed a contract that imposed upon him the obligation of expending in his enterprise a stated

amount, and guaranteed his obligation by a deposit of Government bonds. In exchange for this, in consideration of the advantages which his industry afforded to the country, the Government conceded the exemptions above pointed out. On the other hand, if the concessionaire defaulted in complying with the obligations which the contract imposed upon him, he lost the deposit of guaranty and the exemptions that were granted him thereby ceased.

Is that a fair statement of the matter?

Mr. GAVITO. I think so. It coincides with my answer to the former questions.

Mr. KEARFUL. You are acquainted personally with a large number of Mexicans living outside of Mexico at the present time, are you?

Mr. GAVITO. Yes, sir.

Mr. KEARFUL. Some of them are living in New York?

Mr. GAVITO. Yes, sir.

Mr. KEARFUL. And other parts of the United States?

Mr. GAVITO. Yes, sir.

Mr. KEARFUL. Why is it that these gentlemen and their families find it necessary to live outside of their own country?

Mr. GAVITO. Some of them because they fear the persecutions, and others because they prefer to live here and to educate their children out of this atmosphere of rivalry and hatred in Mexico.

Mr. KEARFUL. They are not able to live as well or as comfortably, or follow their professions as profitably here as in Mexico?

Mr. GAVITO. Oh, no; we have all kinds of hardships here.

Mr. KEARFUL. Yet they prefer those hardships to the prospect of returning to their native country?

Mr. GAVITO. Yes. At least, that is my own feeling.

Mr. KEARFUL. Do you have any idea of the number of such Mexicans who are living exiled from Mexico?

Mr. GAVITO. No; I could not give any figure, but I should say 80 per cent of the well educated class.

Mr. KEARFUL. Is it not your firm belief that these whom you say constitute 80 per cent of the well educated class are needed in their own country to establish and maintain a government of laws?

Mr. GAVITO. I think so. Of course, as a matter of truth, the Government has always been in the hands of the educated people.

Mr. KEARFUL. Naturally you have talked with them about the prospect of returning to Mexico?

Mr. GAVITO. Yes, sir.

Mr. KEARFUL. What is the prospect, as they view it, of returning to Mexico and participating in the Governmental affairs of that country?

Mr. GAVITO. Most of them do not contemplate returning, because they think that the conditions are practically the same as they were when they left the country.

Mr. KEARFUL. What is their hope for returning at some future time?

Mr. GAVITO. Well, I could not say anything in regard to even the majority of them, because they differ very much in opinions, and most of them are discouraged; have no hopes.

Mr. KEARFUL. They have no definite hope?

Mr. GAVITO. No.

Mr. KEARFUL. What is your own hope?

Mr. GAVITO. I always hope in the strength of my country and justice sooner or later, but besides this general opinion, I have no opinion on it.

Mr. KEARFUL. The strength of a country rests with its intelligent class, does it not?

Mr. GAVITO. Yes.

Mr. KEARFUL. That class is very largely outside of the country?

Mr. GAVITO. Yes, sir.

Mr. KEARFUL. Then, it follows absolutely that the establishment of a government of laws in Mexico must come from the outside, is not that so?

Mr. GAVITO. I should like to be excused from answering this question, because that should place me in a position of saying that we are indispensable, and I do not feel that any group is indispensable.

Mr. KEARFUL. You do not think that the intelligent class of the country is indispensable to good government?

Mr. GAVITO. Yes; but at the same time it is possible that the intelligent people in Mexico, the minority who have to stay down there, can help the establishment of some better order.

Mr. KEARFUL. Do you refer to such intelligent persons as Luis Cabrera and others of his kind? He is an intelligent man, is he not?

Mr. GAVITO. I think so.

Mr. KEARFUL. And there are quite a number like him, are there not, connected with the Carranza Government?

Mr. GAVITO. Yes; but they are obsessed with the idea of the revolution, only working in his way.

Mr. KEARFUL. Do you think the intelligent class represented by such men as Mr. Cabrera is likely to bring to Mexico a government of laws?

Mr. GAVITO. No; because we see the experience of the past years.

Mr. KEARFUL. What other intelligent class in Mexico can be depended upon?

Mr. GAVITO. A few of the expatriated going back, because the people will not stand for the sufferings and the difficulties of living abroad.

Mr. KEARFUL. Those who have gone back necessarily have done so under condition that they will support the group to which Luis Cabrera belongs?

Mr. GAVITO. Yes.

Mr. KEARFUL. And they necessarily have to align themselves with the present régime in order to return and do business there?

Mr. GAVITO. Not exactly, because they can keep themselves in the shadow, from becoming prominent, or leading very modest lives.

Mr. KEARFUL. If they take any part in public affairs, they must ally themselves with the ruling régime?

Mr. GAVITO. Of course, they would not be tolerated otherwise.

Mr. KEARFUL. Then, what could they accomplish? If they simply keep themselves in the shadow, as you say?

Mr. GAVITO. Really nothing of great importance.

Mr. KEARFUL. Then, is it not true that the only hope for a real government of laws in Mexico must come from the outside?

Mr. GAVITO. If you mean from the Mexicans that are expatriated, I should say yes.

Mr. KEARFUL. I do mean the Mexicans that are expatriated, but I want to ask you how they can accomplish anything from the outside.

Mr. GAVITO. I think that the Mexicans are able to work out their own destinies, and find the solution if they are left alone.

Mr. KEARFUL. Well, now, just what do you mean by the statement if they are left alone?

Mr. GAVITO. We do not need any foreign intervention. That is what I mean.

Mr. KEARFUL. In what way do you expect they will be able to do that?

Mr. GAVITO. I can not outline any definite scheme, but as I think the present situation has been brought about by the policy of the United States toward Mexico, naturally I am led to believe that when this policy is stopped, the feeling of security will come after a while.

Mr. KEARFUL. Well, what do you think the American Government ought to do to make right the wrong that it has done toward Mexico?

Mr. GAVITO. Of course, I could not answer this question, because it would be necessary for me to know what were the motives and reasons for this wrong policy.

Mr. KEARFUL. The reasons and motives have been stated at various times in addresses and in publications by the President of the United States and it appears that he thought it was incumbent upon him to eliminate Huerta because he had reached power through force, and upon eliminating Huerta, he thought it was incumbent upon him to impose Carranza upon the Mexican people because he thought Carranza stood for law and justice and constitutional principles. Evidently you think he made a very serious mistake.

Mr. GAVITO. Oh, yes; I think so. I should never have expected Huerta considering his arts to reach power to hold power.

Mr. KEARFUL. Notwithstanding that sentiment on your part, do you agree that it was the function of President Wilson to take it upon himself to eliminate Huerta from the Mexican Government?

Mr. GAVITO. I think, first of all, that President Wilson has no knowledge of the Mexican problems; he does not know anything about Mexico, and therefore any intervention on his part had to be what it has been, a failure.

Mr. KEARFUL. The purpose of this committee is to find out the truth, so that any action that may be taken hereafter may be intelligent action, based upon the actual facts. Assuming it to be true that Carranza and his revolution did not represent the liberty of the people and law and constitutional principles, but represented what Mr. Calero and Mr. Bulnes denominate it—that is, looting and graft and personal advancement of revolutionary generals and violation of women and desecration of churches, etc., what, then, do you think the American Government ought to do to make right the wrong it has done?

Mr. GAVITO. At present?

Mr. KEARFUL. At present.

Mr. GAVITO. Of course, as you will appreciate, I can not take the American point of view. I have to take the Mexican point of view.

Mr. KEARFUL. Certainly; that is what we want.

Mr. GAVITO. And it is a very difficult matter to correct the mistake, particularly when four or five years have elapsed with his régime in power. But I insist that the policy of nonintervention—hands off—as you call it, should be more than enough to bring the Mexican problem to a good solution, if not pretty soon, in a little while.

Mr. KEARFUL. It is in evidence before the committee, and undoubtedly true, that Mexico has a bonded debt of over one billion pesos, upon which no interest or other charges have been paid since the abdication of Huerta in 1914; that the Carranza Government has taken over and operated the railroads of Mexico, collected all of the revenues, allowed the roads to deteriorate and the rolling stock to become worthless, and has paid not a dollar of interest on the federal bonds or to the railroad creditors; that the various banks of issue of Mexico have been taken over by the Carranza Government, and the entire amount of their metallic reserve, to the extent of over 50,000,000 pesos in gold and silver has been appropriated, and the assets of those banks are being collected and the collections appropriated, and not one dollar has been paid to note holders, depositor, or stockholders of those banks; that the taxes upon petroleum have been raised to substantially 50 per cent of its value; that large contributions have been levied upon mines and other industries to the fullest extent that they can bear, and that the present Government is not able to collect enough money from those sources to pay its current expenses, after satisfying the cupidity of the generals, and has been compelled to pay school-teachers, after having closed a number of schools, only portions of their salaries.

That is a state of affairs that I ask you whether you think can long continue without something being done from the outside?

Mr. GAVITO. I should like to be excused from replying to that. That involves many international questions that perhaps would be to my country so difficult, I would not like to discuss it.

Mr. KEARFUL. I ask you that question because you say with a policy of absolute nonintervention the Mexicans in time can work out their own salvation, and I ask you the question because it must occur to you that a crisis is imminent; the foreign countries whose nationals have suffered from these operations are not likely to remain quiescent and await the convenient time for the intelligent class who are now expatriated and exiled from Mexico to work out the salvation of their country, and I want your opinion as to whether, under those conditions, a sufficient time is likely to be available for the purpose of working out a satisfactory solution.

Mr. GAVITO. I think that any foreign intervention should put things worse than they are at present; instead of shortening the time for rehabilitation of the country, it would work in the opposite way, and therefore a business man will find it is better to abstain from intervening in Mexico and not to make it any worse.

Mr. KEARFUL. Do you think that matter can be worked out without foreign intervention during your lifetime?

Mr. GAVITO. Time for a country is a different thing than for the life of a man. You know the life of a man is pretty short in comparison with the life of the country.

Mr. KEARFUL. Precisely; and the lives of the nationals and foreigners of every nation are likely to become extinct long before jus-

tice is done to them on account of the depredations that have been committed in Mexico unless something is done to put Mexico in a stable condition.

Mr. GAVITO. I would tell you that in our history we see that the English creditors for our first national debt waited 70 years until a government was established which was willing to take it up and give the proper allowance. I do not see why the conditions have changed.

Mr. KEARFUL. Do you not think that it would be better for a certain amount of interference to occur to the extent of enabling the intelligent class now exiled from Mexico to return to their country and establish a permanent and orderly government than it would be to allow that condition to continue and those exiles to die, or to remain expatriated, and their children to become citizens of other countries?

Mr. GAVITO. I frankly believe that it is useless to discuss the theoretical scheme, because the most important part of it is the way in which it should be applied. In other words, if everybody agrees in the necessity of some help, it is so difficult that the help starts in the right point that nothing can be advanced by discussion of the principle.

Mr. KEARFUL. I think we all agree that it would be well for Mexico if its affairs could be placed in the hands of the intelligent class who are now largely exiled from the country; is not that true?

Mr. GAVITO. I think so.

Mr. KEARFUL. Would it not, then, be wise for some action to be taken for the purpose of putting the affairs of the Government into the hands of that class, and would it not be better to do it sooner than later?

Mr. GAVITO. First of all, the danger would be to give to that group the popularity that could be very, very favorable to the present controllers of the country.

Mr. KEARFUL. You mean that for this Government, or a combination of both Governments, to undertake to assist the intelligent class of Mexicans, would be to make that class unpopular with the people of Mexico?

Mr. GAVITO. I think so.

Mr. KEARFUL. With what class of people would it be unpopular?

Mr. GAVITO. With the great majority of people who make the revolutions and start the troubles down there.

Mr. KEARFUL. Do you believe that the people who make the revolutions and start the troubles in Mexico are entitled to any consideration? Who are the class of people who make the trouble and make the revolutions in Mexico?

Mr. GAVITO. The agitators.

Mr. KEARFUL. Is it not true that a very large percentage of the inhabitants of Mexico would welcome a government formed and maintained by the intelligent classes now exiled from Mexico?

Mr. GAVITO. Of course; yes.

Mr. KEARFUL. And do you believe that the peon classes would have any feeling of hostility toward such a government?

Mr. GAVITO. No; they do not care. At present they are awfully tired of revolution and disorder.

Mr. KEARFUL. Then, the only class that would be antagonized would be that class which is now in control?



Mr. GAVITO. Yes; but, individually, they are the most active part of the people in Mexico.

Mr. KEARFUL. Well, what would there be to prevent the intelligent class from becoming active, if they had an opportunity; if they had assistance; if they had the chance?

Mr. GAVITO. There should be nothing.

Mr. KEARFUL. I believe that is all I want to ask you. Is there any further statement you would like to make?

Mr. GAVITO. No; I think not, thank you.

Mr. KEARFUL. Thank you very much.

(Witness excused.)

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### TESTIMONY OF DR. BRUCE BAKER CORBIN.

(The witness was duly sworn.)

Mr. KEARFUL. Please state your full name.

Dr. CORBIN. Bruce Baker Corbin, 66 Lenox Avenue, East Orange, N. J.

Mr. KEARFUL. What is your business?

Dr. CORBIN. I am a minister of the Methodist Episcopal Church, and one of the secretaries of the interchurch world movement.

Mr. KEARFUL. Did you have occasion to make an extended visit to Mexico recently in connection with matters in which you are interested?

Dr. CORBIN. I went into Mexico, I think, on the 19th of August, and left on the 22d of September. During those weeks I visited Monterrey, Tampico, San Luis Potosi, Mexico City, and Guanajuato. My trip extended as far as to those places and also Irapuato, Silao, and Puebla, and a number of other smaller places, less extended visits.

Mr. KEARFUL. Do you know D. B. Winton, a minister of the gospel?

Dr. CORBIN. Yes, sir.

Mr. KEARFUL. He was in Mexico at the same time you were, and on November 26, 1919, he wrote a letter to the Evening Post, which was afterwards incorporated in a propaganda pamphlet issued by the League of Free Nations Association. In that letter he made this statement:

"I spent this recent October in Mexico. The country is prosperous and at peace," and again, he says: "On the basis of personal knowledge I assert again, Mexico is prosperous, except in a few retired and unimportant sections."

Do you think that condition existed at that time in Mexico?

Dr. CORBIN. I should dislike to be in the position of contradicting Dr. Winton, but from my observation I can not say that Mexico was prosperous, especially in certain centers which have been prosperous in the past, very evidently so from the nature of the commercial buildings and institutions that are standing idle, the shutters down and everything dead around them, there has been a prosperity that is not to be noticed at the present time.

Mr. KEARFUL. To what particular places do you refer?

Dr. CORBIN. I was speaking particularly then of Monterrey and San Luis Potosi.

Mr. KEARFUL. Just describe the conditions which you found there.

Dr. CORBIN. Well, at Monterrey, I think one of the smelters was operating at the time; there were not more than a third of the usual number of foreigners there, and the smelter that was running was, as I remember rightly, only using two or three of the furnaces—I do not know the technical name for them; their condition seemed to be very slow, and yet they said they were better than they had been. At San Luis Potosi I found things as dead as in any graveyard you would want to find, and the market places were very scantily provided, especially the native markets; hardly any traffic on the street except a hack driving people going from place to place; no commercial traffic and I saw one residence or building being constructed, and I asked to whom that belonged; they said it was a general. A very elegant structure, and I found the same condition existing in Monterrey. The only building that had been built recently was a very fine residence; I asked a hack driver to whom it belonged, and he said a general.

I may say so far as Mexico City and Puebla were concerned, the markets seemed to be supplied and yet there was every evidence manifested by the number of people that were constantly appealing to you for help, and on their faces and general conditions that they were suffering.

Mr. KEARFUL. Did you find a condition of general destitution in these places?

Dr. CORBIN. Yes, sir.

Mr. KEARFUL. And what did you find as to disease?

Dr. CORBIN. I am not a skilled observer in that respect. In the background, however, the fact that I have been in India and have seen the conditions there, and as is well known there is considerable destitution and poverty, and in the same length of time, with the average visitor, the population as I beheld them in India, I saw more suffering in Mexico than I had ever seen in the same length of time in India. There was every evidence of venereal diseases; I saw scores of little children less than 12 years old who were blind. I saw—well, in every period of life, on through to old age, very evident manifestations of social disease, and on the faces and persons of the people I came in contact with.

Mr. KEARFUL. Did you find anybody afflicted with leprosy?

Dr. CORBIN. I am familiar with leprosy; I have seen a large number of cases in India. I was going up the line toward Irapuato and looked out of the window and saw a man whose hands were fingerless. I suspected it was leprosy and afterwards I asked a physician with whom I was acquainted, and who has been practicing medicine in the State of Irapuato, if I was mistaken in judging it a case of leprosy. He said, "Doubtless you did see a case of leprosy," and he said in his judgment there was a minimum of one out of every 5,000 in the State of Irapuato who is leprous, and he said his judgment would put it nearer to one out of every 2,000.

I saw the worst case of leprosy I ever saw, not excepting the worst in India, and I have been close to many, I think, in the City of Irapuato, and I was close enough to drop a coin in his hand.

Mr. KEARFUL. Remaining at large?

Dr. CORBIN. Yes; out on the street, a beggar. They were begging at the station; I saw numbers of them.

Then, as to the suffering of the children, evidently the children are the worst sufferers. Coming up from Tampico to San Luis Potosi, we were eating our lunch at Cardenas, and threw some orange and banana skins out of the window without giving a thought to the fact, and there was some scrambling and a commotion outside, and looking out the window the children were scrambling around after them, most of them were naked and diseased, and most of them were puffed out from eating food they had picked up. I was told afterwards that was one of the cities that had been sacked by Carranza because of the refusal of the population to join his army, and the men and women had been impressed into service and the children left to shift for themselves.

Mr. KEARFUL. What did you find the attitude of the population toward the Carranza Government?

Dr. CORBIN. I have a statement here I think I can give in just a minute and I would like to give it in this form.

I will say this: I take it to be very significant that I did not find but one person in all Mexico who had any pronounced confidence in the sincerity or ability of Carranza, and that was a young man who is secretary of agriculture in the State of Tlaxcala.

Mr. KEARFUL. That is a Government position?

Dr. CORBIN. Yes. He declared that President Carranza is a sincere patriot, but that in order to placate several factions he had given their leaders places in his government, and that he found it exceedingly difficult to control them, is at present very much aware of the corrupt practices of many of his officials, but is not in position to stop them. He also stated that enemies of Carranza within the Government were constantly seeking opportunities to discredit his administration in the eyes of the Mexican people, and the world, in order to further their own personal political ambitions. He thought Carranza had not had a fair opportunity to make good his pledges and put into effect his policies.

That was the only person I found in Mexico who had a good word to say for Carranza and that was the extent of it.

Mr. KEARFUL. What did you find to be the general feeling?

Dr. CORBIN. The people are worn out and worried and seemingly discouraged and helpless, hoping against hope there may be some chance of relief in the future. They are not able to give any suggestion as to how it will come about from any source within the borders of Mexico. I got it very clearly from talking with all classes that the trouble in Mexico is that it is Mexico, and that the source of the trouble is from within Mexico, and until the Mexican people themselves are changed, lifted to a higher moral and intellectual plane, there can not be a permanent basis of prosperity.

Mr. KEARFUL. Do you think they are themselves capable of lifting themselves to that plane?

Dr. CORBIN. I was very favorably impressed with the educated classes, with their ability, and was convinced that if the men of ability were able to get into the ascendancy of the Government, there might be found a way out of the present difficulties, but talking with those that were willing to talk, I gained the impression that the

men who were now in charge of affairs in Mexico were either rascals or ignoramuses. I was told that at least three members of the cabinet could not sign their own names. Whether that be true or not I do not know.

Mr. KEARFUL. What did you find to be the attitude of Americans in Mexico toward the American Government on account of the policy that has been pursued?

Dr. CORBIN. Well, it depended upon the temperament of the person who was relating the experiences through which he had passed. Some of them were broken hearted, and felt that they had gone into Mexico as they had under a treaty made with their own Government, and with the understanding that they would be protected in their life and property, and a feeling that they had been deserted. Many of them were deeply chagrined and humiliated; others were vindictive, and in an angry and sullen mood, and yet I found most of them fair-minded. There is a bitter spirit; you can see the bitterness rather than hear it; they do not talk so much.

Mr. KEARFUL. What is the general opinion of Americans in Mexico with respect to what should be done to put Mexico in orderly condition?

Dr. CORBIN. I heard men in the lobbies of the hotels and on the railroad trains speaking rather frankly, but they were not the type of men upon whom I would place very great reliance. Those men spoke very frankly, out and out, in no uncertain terms that the United States Government should intervene. And by that they meant military intervention, but as I talked with the more solid men—the university men and business men with large interests in Mexico—I found that they were very careful in expressing their opinions, and if I were to represent them in a general way, I would say that they feel that the United States Government should find some way to redress their ills, and to express itself emphatically, but they are leaving it for the Government to find that way, and they are not suggesting what it should do.

I heard one man in Mexico City, a business man—I will put it this way: He blurted it out with a question as to when I thought the Government would wake up and come down and do something about affairs down there. I spoke to him quietly, and I said, "Do you dare talk like that before your Mexican clerks, and before a general audience, as happens to be in this place at this time?" And he says, "I don't care." I said, "What would there be to it if the United States Government did assert itself, as you suggest? What would be the cost to you?" He said, "Oh, that would be some immediate loss." He said, "There would not be much to it, and it has got to be done, sooner or later, and we are all preparing ourselves for it."

That man did not hesitate at all to express himself, and did it publicly. He was the only man who seemed to have anything at stake who expressed himself in that way.

Mr. KEARFUL. How were conditions that prevailed while you were in Mexico with reference to military protection?

Dr. CORBIN. Why, I traveled on no trains that had less than two carloads of soldiers, and I noticed from that to 15 carloads. Going down from Mexico City to Vera Cruz we had a train running about

a half a mile ahead of us with, I think, 4 carloads of soldiers with swivel guns, and our train had a sleeper to it, about a half a mile in the rear, and 6 or 7 soldiers went into the train; every hilltop has wire entanglements on it, and guards concentrated along there, especially where you go down the ravine from the table land into the plains. When we came up from Tampico to San Luis Potosi we were expecting to take a train at midnight, and we waited until 5 o'clock in the morning, when the train arrived just in time to turn around and go back. We asked what was the matter, and they said the bandits were after them, and said a military train would go ahead and clear the way. That was on Monday. The military authorities were in control until the latter part of the week, when we were taken out. The same train the next Wednesday was blown up and one of the military guards and at least one of the passengers killed outright and a number of others wounded. That was while I was in Mexico and not very far from there. It just happened to be their train instead of ours.

Mr. KEARFUL. That is the condition of peace that Dr. Winton speaks about.

Dr. CORBIN. There was not a great amount of peace. A friend of mine who was to have been a member of our party and was delayed, and who was down a week later, and his train was blown up, and he had to pay \$200 for his freedom, and in talking with a railroad man afterwards I asked why the military guards did not intervene, or at least follow up the bandits, and he was informed that the leader of the military forces in that particular force was a very close friend of the leader of the bandits who had attacked the train. He said doubtless in two days they would meet somewhere and whack up, and he said that was the condition under which the bandits were working; that they were hand in glove; if the military forces cut out the bandits they would both lose out, and there seemed to be an agreement among them. That was the impression I gathered everywhere I went.

Mr. KEARFUL. What did you observe as to the destruction of property at different points where you were?

Dr. CORBIN. There were no railway stations standing except the station at San Luis Potosi, that was standing before the war. By that way, that is a very fine station. In Monterrey, one day, I was passing along the street and there happened to be an opening in a fence around the building, and I was attracted by the beautiful interior, and stepping into what I thought to be the lobby of a hotel that had been under construction at the time of the Carranza occupation of the city of Monterrey. We were taken by the caretaker up into the third and fourth floors, and I found rooms furnished as nicely as any of the hotels in this city or New York City, but the lower floors had been completely wrecked. The Carranza soldiers had shot away the glass dome in the office and had amused themselves by smashing the very fine chandeliers, and I was told that the structure had cost \$800,000; that they had \$400,000 worth of fixtures and equipment for that hotel in 20 cars standing at the station when Carranza attacked the city, and they were all destroyed.

I noticed in almost every city of any size through which we passed large numbers of steel box cars and rusted engines and roundhouses

destroyed by fire, and it was reported that only eight engines were operating between Mexico City and Vera Cruz, and probably less than that between Vera Cruz and Tampico. There were other evidences of destruction.

I was impressed with the nature of the treatment accorded to the women. In a visit to the school of the Southern Methodist Episcopal Society and the hospital, Dr. Frost told us that every time any Carranza troops were expected the sister in charge of the convent came to him and asked if he would put a ladder by the convent so it would be possible for her girls to come over into the hospital for protection; that she thought the worst would happen to them if the Carranza troops discovered that the building was full of women, but for some reason they were not troubled, and that was an interesting sidelight to me on conditions, and I found that in some places they were not as safe as they were in Monterrey.

Going down to Tampico I think we probably traveled over the most dangerous section of the railroad we went over. Two days before two stations had been blown up or torn down on the road; we expected that, perhaps, something might happen that day, but we got through without incident, except that the rolling stock was filthy and unkempt and very unsatisfactory, and we were mighty lucky and glad to get through without accident. We did not complain very much on account of the accommodations.

At Queretaro I went into a monastery coupled with one of the old churches or cathedrals, and the sister superior there had had 40 orphan children and was trying to take care of them; seemed to be very grateful for the contributions we were able to make, and said that the most she could do was to keep a little something on the children's backs and keep them from actual starvation. She was not giving them enough to keep them in health and strength. She showed us around through the building and pointed out the service stations of the Carranza soldiers. The building had been wrecked, and the marks of the fire were very evident; and then she took us through and showed us where they had torn up the piles and inserted the treasure. They had stripped the church of everything of any value, and I went back into the sacristy and found a large number of images had been taken out and broken into pieces, and I asked her what that meant, and she took me out into the court and she said they stood those images up and got across the court and shot their eyes out. The images showed they did not miss. And that showed that even though those men were normally Catholic, they had lost all respect for their sacred sanctuaries, and I took that to be an indication of the moral degradation of the men composing those military forces.

As to the economic conditions I met a young man who was a graduate of the university here in America, managing a hacienda—I had better not mention too particularly where it was—but he was coming out of the country on his way to America to buy motor machinery, and he said the military forces had requisitioned his horses and his mules and taken his stock until he had too few to cultivate his soil, and he was going to come to America and buy motor machinery and learn how to operate it and go back and teach his men and see if it would be possible for him to cultivate his farm in that way. And

then he turned in a whimsical sort of way and said, "But, what is the use? As soon as I cultivate some of the soil and get a crop, if it is worth anything, they will be around with some more requisitions." But, he said, "I am going to carry on, though, and do my best, but it is very discouraging," and that seemed to be the feeling on the part of the Mexicans whom I met, who were trying to carry on their work.

Mr. KEARFUL. What do they hope for?

Dr. CORBIN. They are without hope; they are disappointed, broken hearted, many of them. I describe it with that term. Are broken hearted. They see no way out. I met a lady, for a Mexican as refined a lady as you might wish to meet among American women of education; her husband and her father had been killed during the revolution; I think her home was in Durango. She is now in New York City. She said, "Why does not the United States Government take action? It will have to eventually and inevitably," and then she said, with a break in her voice, "But why don't you, while there is something to save, and before it has all been devastated and ruined," and I find that to be the general attitude of the intelligent Mexicans with whom I talked. The feeling is that they are helpless themselves, they have confidence in the United States, if we would pursue the same sort of policy we did in Cuba, and a way could be found to bring about better conditions. I found on every hand the people were appreciative of what we have done; we have given them railroads, electric lights, and tramways, and developed the natural resources of the country, and made a beginning in industries. I was in Puebla and visited the plant of Mr. Jenkins. He did not happen to be home, but his mother took us through. He has a very modern factory of cement and steel construction, well lighted and sanitary. We found them taking the cotton as it comes from the bale and spinning the thread and making stockings, and I judge he is supplying labor and subsistence for at least 500 families in the city of Puebla.

Mr. KEARFUL. What is the attitude of the Mexicans in that locality toward Mr. Jenkins?

Dr. CORBIN. I did not have an opportunity to interview them as I only made about a 36-hour stop there. I wish that I might have had, but we were on our way to Vera Cruz to get our boat, and did not stop there. So far as Mr. Jenkins himself is concerned, in the opinion of those with whom I had time to talk—I talked with Dr. Connell, a nephew of Dr. Russell H. Connell, of Philadelphia, who is in charge of one of the finest equipped hospitals, as well equipped as any I have ever seen in America. Mr. Jenkins furnished the property and buildings for that hospital, and is a great benefactor of the Mexican people in a philanthropic way.

So far as the Mexican people are concerned, the people working for him, they seem to be well clothed and well fed, and happy and contented. I think he is doing a great work for the Mexican people. No doubt he is making money, but he is entitled to what he gets. He has been doing it honorably. He is held in the highest regard by the missionaries and Canadian and English business men in the city of Puebla.

Mr. KEARFUL. Is it the opinion of the missionaries that anything can be done for the advancement of the ignorant people without

furnishing them work and food and clothes and material advancement generally?

Dr. CORBIN. If you will let me answer that a little more extensively I will be glad to do it.

We found the missionaries, while the missionaries were willing to talk to us—while every member of our commission visiting Mexico had been a former missionary, and we were received perhaps in that way rather than as a delegation, they were very frank to tell us what experiences they had passed through, and their suffering, and the conditions as they knew them, yet they were very careful to avoid touching upon anything that would savor of the political. They were naturally neutral in what they are doing there, and are teaching patriotism, as we know it, the real article, to the children, and trying to inculcate in them those principles upon which a safe and sane citizenship will be based in the coming years, but through forces which are present we felt it was their opinion, and it became ours, that it is going to be a long, slow process to prepare any considerable portion of the Mexican people to an extent where they will be competent to govern themselves.

I am not sure that I have covered all of your question.

Mr. KEARFUL. No; the question particularly was whether or not it was not an essential element of the intellectual and spiritual advancement of an ignorant people that they should first have material advancement in the way of clothes and food and opportunity to work.

Dr. CORBIN. My understanding of the situation in Mexico is that before anything permanent can be done along philanthropic or moral lines the people have to have work and a chance to work in peace, and I think if they had a chance to earn a livelihood and I will put it even stronger than that; many of them are going to starve to death and are starving to death at the present time—they want a chance to earn a living, and then until the actual physical suffering has been alleviated there is no use, on any large scale, to give them moral instruction or education.

On the other hand where a people that are suffering are within reach of these institutions they are being administered to. That is one of the hopeful things, the extent of the ability of these institutions to administer to them, and they are overwhelmed with the demands and the necessities of the Mexican people.

Mr. KEARFUL. Well, do you think the Mexican people contain material upon which to build a capable government?

Dr. CORBIN. Of course, when you think of the people as a whole, you are face to face in Mexico with the same sort of problem you have in India. I had not been in India very long before I began to discover that the people you meet on the street represent many different languages and races, and I had not been in Mexico very long before I began to discern it there, that the people were not of the same type; that they are not of the same language; while they may have the same underlying racial characteristics and perhaps racial psychology may be common, there are perplexities and problems which you will have to meet if you go down to the Mexican people as a whole with any kind of program, and it is going to be a long and difficult task. And, still, I met a considerable number of



those who have had educational advantages; for instance. I met at Queretaro a man of the peon class who said that he had no education whatever; that the most he knew in the line of learning was that he could keep tally in weighing out cotton or products from the ranch over which he was placed, but he was sending his two children to the mission school in that city, and I saw those boys and they were likely chaps, and it is my firm conviction that, taking the Mexican youth as they run, even from the Indians and those from the class that would seem to promise the least, that with proper training and opportunity they will rise to great heights, and that the root stem is such that it can be built on, but it will take perhaps generations to make a strong, civilized, progressive people.

The immediate solution is not through education.

Mr. KEARFUL. Have you any further statement that you desire to make?

Dr. CORBIN. I would like to say something of what I observed the Americans were doing for the Mexican people; some thing along the line of what I said about Mr. Jenkins.

Mr. KEARFUL. We should like to hear it.

Dr. CORBIN. I was greatly interested in looking over the living quarters provided by the American Smelting and Refining Co. at Monterrey for its laborers. I observed the type of men that they had employed, and the clothing they wore and their general physical condition. They were well fed and well clothed. The employees were housed in substantial brick quarters while people of the same class over the fence from them were in mud huts and shanties made out of slabs and tin cans and brush, with no floors. Down at Tampico, the morning after my arrival, I started out independently and went up the river about nine miles and passed by the loading stations of three or four of the oil companies, and I was quite impressed with the well-built, nicely painted cottages along the fence. I first thought they might be the homes of American workmen. I asked, through the workman who was with me and who understood Spanish, the question as to who lived in those houses and he informed me they were the Mexican workmen of different oil companies, and I asked if they were well treated, and he said that they received very satisfactory wages, were furnished with the electric light and running water and ice and are provided with supplies practically at cost, and he said when they were sick there was a doctor to look after them and a hospital to which they could go.

That was volunteered, in that off-hand way.

Mr. KEARFUL. There were schools also, were there not?

Dr. CORBIN. I went over to the Huasteca Oil Co.'s plant later on, and had a chance to inquire more particularly into the housing conditions and to observe what was being done, and I was simply amazed in going over the plant to discover that in the woodworking, steel, and machine shops and foundries there were hundreds of Mexican workmen turning out as fine results in manual work as could be achieved by Americans; patterns, copper, and brass work of the very finest type. I made inquiry and found there was only one American in each department, and he was more of an instructor than a boss, and that these workmen had been taken absolutely raw from among the peon class, had received instruction, and under

that instruction had been brought to a place where they were doing the very finest of work. We saw them repairing tankers there, and we were told by the superintendent that during the war the tankers would put in, and within 36 to 48 hours be ready to go back to sea, thoroughly repaired, and Mexican workmen did it all.

These plants are practically manual training schools for the Mexican people. Their homes were very substantial and clean and evidently inspected, for the Mexican people, in their native way, naturally would not be overly clean about the premises, but they were absolutely clean everywhere I visited. We went into the slaughterhouse and that was immaculate. The market place we found they were giving the people two exhibitions of moving pictures a week, and we found a school with four grades, and I think there were five teachers in charge, as up to date as any rural school you can find anywhere in America of its size, and we were taken through the artificial ice plant, and I went out to the waterworks and pumping station, from which they supply the water to the homes of the workmen, and I came away with this impression: That the Mexican people are distinctly the better off for the occupation of the oil regions, at least, by the foreign interests.

At Guanajuato I found the conditions were not equal to those in the oil section, but that the people were delighted when the Americans came back and opened up the mines, and whereas the population was normally about 100,000 and had dropped down to below 20,000, they had gotten back to 60,000, and I was told by Dr. Salmons, who had been in the city for years—and this is interesting—that some time ago there was a strike against the mining interests in Guanajuato, probably started by the I. W. W., and quite a general walkout: that the strikers organized their forces and funds and sought to support the families of the men who were striking by a corn fund. The Government intervened and offered to administer the fund for them, but the Mexicans, evidently from past experience, said "Not on your life," and they went to the managers of the mines there in Guanajuato and asked them if they would form a committee to administer the corn fund for them, even though they were striking against them, in the belief that they would get a square deal and an honest accounting for their money.

And I found, from questioning, that that is the feeling of the Mexican laborer everywhere I went in his attitude toward the American employer of labor. They feel that they will get a square deal every time. And I did not find prosperity where foreign capital was not invested and being directed by foreign management.

Mr. KEARFUL. Anything further?

Dr. CORBIN. May I use my figure of speech in closing?

Mr. KEARFUL. Yes.

Dr. CORBIN. If I were to sum up, I would state the situation as I see it in the form of a conclusion in the following figure: Mexico to-day is in need of a more or less serious surgical operation, followed by a period of prolonged convalescence under skillful nursing.

Mr. KEARFUL. Thank you, sir.

Whereupon, at 4.10 p. m., the committee adjourned.



# INVESTIGATION OF MEXICAN AFFAIRS.

THURSDAY, FEBRUARY 5, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE  
COMMITTEE ON FOREIGN RELATIONS,  
*Washington, D. C.*

Testimony taken at Washington, D. C., February 5, 1920, by Francis J. Kearful, Esq., in pursuance of an order of the Subcommittee of the Committee on Foreign Relations of the Senate.

## TESTIMONY OF MR. KIRBY THOMAS.

Mr. KEARFUL. You have been subpoenaed to testify before the committee. Will you please state your full name?

Mr. THOMAS. Kirby Thomas.

Mr. KEARFUL. Where do you live?

Mr. THOMAS. New York.

Mr. KEARFUL. What is your address?

Mr. THOMAS. 70 Central Park West.

Mr. KEARFUL. What is your profession?

Mr. THOMAS. Mining engineer.

Mr. KEARFUL. Are you connected with the mining business in Mexico?

Mr. THOMAS. I am.

Mr. KEARFUL. What opportunities have you had to study the condition and progress of mining in Mexico?

Mr. THOMAS. I first went to Mexico in 1904, in mine examination work. Since that time I have made many trips to Mexico and in different parts of Mexico, and have been in practically every mining district in Mexico. I went to live in Mexico City about 1908 and lived there for two years. After that I moved to New York, but continued to go into Mexico in connection with business until about 1914. I think in 1915 was the last time I was in Mexico.

Mr. KEARFUL. Have you made a study of the conditions of mining in Mexico?

Mr. THOMAS. I have. When I first went to Mexico I made some investigations that took me over the Republic quite generally in connection with mining matters, and subsequently I undertook to write a review of the mining in Mexico for the Mining World, of Chicago. This was published, I think, in 1905, and again in 1908 I wrote quite extensively on Mexico, and subsequently have written a number of articles on Mexico.

When I was in Mexico first I was editor of the Mexican Mining Journal, a paper devoted to mining in Mexico, published in English and Spanish, and I was also the organizing secretary of the American Institute of Mining and Metallurgy—that was the English name of it—which took in the mining men of Mexico of all nationalities. The preponderant membership, of course, was American, but we had quite a large number of Mexicans and, of course, the other nationalities were represented.

Mr. KEARFUL. If you are able to do so, we should like to have you give us a statement of the development of mining in Mexico from the earliest times up to the present, in your own way.

Mr. THOMAS. I can do that in general terms, of course; the dates I have not in mind.

It is not necessary, I presume, to refer to the activities of the Spanish and Mexican mining, although their activities were much more extensive than is ordinarily believed, and were much more effective. The early Spanish pioneers, with great courage, and a great deal of skill, penetrated into all parts of what is now Mexico, also parts of the Mexican territory which has since been acquired by the United States, and undertook very substantial and profitable mining operations. This work was quite effective, as far as results were concerned, as we judge even by our present day standards.

These Mexican operators had the assistance of cheap labor, some of it slave labor, but nevertheless they were able to apply engineering methods to the operations in a way that creates admiration of the results as we see them now.

This mining industry, of course, subsided during the period of the revolution in Mexico which separated that country from Spain. However, mining operations were early resumed, as early as 1824. The British, through responsible engineering and financial houses, and organizations, undertook mining in Mexico, and operated in widely scattered parts of the Republic, the principal operators being in Pachuca, another in Teloloapam, and another at Zacatecas, and another at Bolaños, and operations in the northern part of Chihuahua. These operations continued on down until the late forties, and were discontinued partly because of political difficulties, but chiefly because of the enormous physical obstacles in connection with transportation and the handling of such operations as mining in the country at that time.

The English interests again revived after the Maximilian incident, and were quite active until along in the late eighties.

Mr. KEARFUL. When did the Americans begin operating mines in Mexico?

Mr. THOMAS. There were practically no American operations in there, except, I think, in the early eighties. Gen. Frisbie, of California, came into El Oro to undertake some developments there. He had been in Mexico and had become familiar with the situation. He was associated with the British interests in the early El Oro undertakings, and in the late eighties, and I think ex-Senator Teller of Colorado sent men into Chihuahua who took up some properties there. There was no general attempt on the part of Americans to participate in Mexican mining until the inception of the Mexican Central Railroad, which must have been in the late

eighties. I think it was in the late eighties. Then, of course, a great many Americans came into Northern Mexico and came to the camps along the Mexican Central Railroad.

Mr. KEARFUL. What was the condition of the mines in Mexico at the time of the beginning of operations by Americans, as to their being rich and easy or difficult?

Mr. THOMAS. The mines were practically all abandoned at that time, all mining operations, at the time the Americans began to come in. The mines had been allowed to fill with water. The only operations were by the Mexican prospectors, who worked over the dumps, and when the Americans came there the mines were quite uncertain as to value. There were no adequate reports about them; traditions of large production, we soon found, did not mean anything, and it was necessary to make expensive examinations and to undertake expensive investigations of the mines to ascertain their value. There was, of course, no equipment in connection with any of the mining properties in Mexico that was of any advantage to present-day operators.

Mr. KEARFUL. Will you proceed, now, to describe the operations conducted by Americans in Mexican mines?

Mr. THOMAS. The first contract of the Americans was in the negotiation stage when these old abandoned properties were successfully sought out by American promoters or engineers or representatives of American companies, and negotiations were then entered into with the then Mexican owners for these properties. Practically all of the mines that had a record or had been operated extensively were owned by Mexicans. The only exception was the remnant of the British operations in Mexico, which were important mines.

These negotiations were direct with the Mexican owners; frequently it was quite difficult to arrive at terms, and generally the Mexican owners required practically cash payment, or very substantial payment, for their property. They very seldom retained an interest in the properties, and very seldom invested any capital in the mining enterprises, either on their own account or in association with new American interests that were coming in at that time.

Mr. KEARFUL. Did they as a rule receive good prices for their property?

Mr. THOMAS. They received very substantial prices for the properties. At first they were glad to accept more liberal prices, but since the demand was active, the Mexican was quite shrewd enough to drive a good bargain. In fact, many times they drove bargains that were quite to their credit, from that standpoint.

Mr. KEARFUL. Were the conditions of the mining properties in Mexico such that they could be worked without large capital?

Mr. THOMAS. Practically none of these abandoned mines could be operated at all without large investment for mining development and a still larger investment for mining and mill equipment.

Mr. KEARFUL. What was the effect upon the population of Mexico as to their economic conditions resulting from the operations of the mines by Americans?

Mr. THOMAS. The development of mining in the different old camps in Mexico immediately created a demand for labor, and this resulted in a great economic benefit to the Mexican working classes.

and a very substantial benefit to the business interests by reason of the large amount of general business created incidentally to mining.

At first, the old scale of wages, of course, was offered to the men. This was as low as perhaps 50 centavos—25 cents a day, but the price soon began to increase, particularly in the northern part of the country, and in fact all over Mexico, so that in a few years the Mexican miners were receiving from two to five times as much wages as had ever been paid before, and they were receiving it in money and without any restriction as regards the payment to them or their employment in the mines.

Mr. KEARFUL. What sort of precious metals were mined?

Mr. THOMAS. The principal output at first was silver, with a minor amount of gold. Subsequently, it led into copper and zinc, which became quite an important production.

Mr. KEARFUL. Have you at hand a statement of the aggregate amount of those metals in value that were taken out by Americans in these operations up to 1914?

Mr. THOMAS. No; I can not give you that. I have no statistics on that. I can give you the proportion of American interest in mining, and then give you the total figures.

Mr. KEARFUL. Please do that.

Mr. THOMAS. Along in 1909 and 1910 the American interests were decidedly preponderant in the Mexican mining industry. This was to such an extent that the industry was recognized as distinctly American.

Mr. KEARFUL. About what percentage American?

Mr. THOMAS. We made a calculation, I think, about 1909, that 90 per cent of the active mining in Mexico was in the hands of Americans. This was controverted by one of the Government departments, and perhaps it was a little high, because we calculated the British-owned or partly British-owned properties operated by American engineers, and some investments in which there was Mexican capital as well. I feel quite sure that the Americans had substantially over three-fourths of the developed and operating mines in Mexico in 1910.

Mr. KEARFUL. What proportion of the actual amount in value that was taken out of the mines remained in Mexico, and what proportion was derived by way of profits?

Mr. THOMAS. Much the larger portion of the value remained in Mexico, necessarily. This is especially true in connection with the low-grade operations, which represented the great bulk of the operations which were under way during this period. To illustrate, in one important operation at Guanajuato, the total value in silver, in the ore, was \$5.50. Ninety per cent of this was recovered, and the profit in it, which represented potential dividends to the American capital, was 50 cents a ton. The rest of it was all expended in Mexico for labor, materials, and supplies.

I might say in this connection this operation treated 3,000 tons a day, so the earnings were substantial at that, and proportionately the expenditure in Mexico was enormously greater than the earnings.

Mr. KEARFUL. What have you to say about the statement which has been made in this country to the effect that American capitalists have gone into Mexico under special concessions and have exploited the Mexican people?

Mr. THOMAS. As far as the mining investments and the mining activities are concerned, the American interests has no special concessions of any importance. New undertakings were frequently granted a remission of taxes for a period of years, or the free importation of material for mills or smelters, or some beneficial concession of that kind.

Mr. KEARFUL. That would be upon very onerous conditions, would it not?

Mr. THOMAS. Well, under strict conditions, yes; it was a favor to the mining industry.

Mr. KEARFUL. What conditions were attached to those concessions?

Mr. THOMAS. The conditions were that the undertaking should be carried out on a substantially effective scale, which involved investment of many millions of dollars, frequently in one enterprise.

Mr. KEARFUL. What security would have to be given for the fulfillment of those conditions?

Mr. THOMAS. The Mexican Government always required a bond be executed, and carefully scrutinized the application of these concessions.

In this connection so-called concessions should not be regarded as any sweeping grants of natural resources or other rights to Americans, for there was none of that in connection with mining. Americans had the same rights to apply for the Government-owned mines as the Mexicans did, and under equal conditions.

Mr. KEARFUL. The operation of mines was under general laws, which made it open to anybody on equal terms?

Mr. THOMAS. That is true. The laws were quite fair and equitably applied.

Mr. KEARFUL. Have you information as to the number of Americans in Mexico at the time of the fall of Porfirio Diaz?

Mr. THOMAS. We had some estimates made about 1910 that there were 75,000 Americans living in Mexico. Some claimed as high as 100,000. I think probably 75,000 is a fair figure. That included the families of Americans who were employed there in various industries.

Mr. KEARFUL. What was the character of these Americans that were operating in Mexico at that time, amounting to 75,000?

Mr. THOMAS. The Americans that were in Mexico at that time were of a particularly high class. They represented men in responsible positions, and most of them were there as managers, engineers, specialists, and accountants, and in positions of a character that would require men of above the ordinary experience and ability, and certainly men of character and responsibility.

Mr. KEARFUL. They were not speculators engaged in defrauding the Mexican people of their rights?

Mr. THOMAS. Not at all.

Mr. KEARFUL. That was not true to any extent, was it?

Mr. THOMAS. That was not true to any extent whatever.

Mr. KEARFUL. What was the attitude of the Mexicans toward those Americans who were operating in Mexico?

Mr. THOMAS. The official class was generally quite friendly, and were willing to assist in any way that they could. The Government undertook to keep in pretty close touch with conditions, and in



numerous instances went out of their way to see that the reputable American enterprises had their rights. The business people generally favored the Americans. There was some little friction in the smaller towns, and competition would come in between American stores and Mexican stores, but this was not serious, for the Americans had only special stores for newspapers and drugs and special groceries that the Americans wanted, and they bought largely from the Mexican merchants, and, of course, the labor all bought from Mexican merchants.

Mr. KEARFUL. What was the attitude of the Mexican laboring class toward the Americans?

Mr. THOMAS. The Mexican laborer showed generally a good attitude toward the Americans. Of course, he was distinctly in a lower class, and at the same time the Mexican laborer was not unfriendly or hostile to the Americans in any way.

Mr. KEARFUL. How was he treated by the Americans with respect to his treatment by the Mexicans?

Mr. THOMAS. The Americans, as a rule, practically in all cases, were much more considerate of the workingmen and of their interests than the Mexicans had been, and they undertook a great many things for the Mexican laborer which had never been done before, some of them on general grounds of public good and others simply as a matter of business, to secure the contentment and efficiency of labor.

Mr. KEARFUL. What classes of people made it possible for the economic development and the creation of property values that has taken place in Mexico?

Mr. THOMAS. Well, the new undertakings in connection with the railroads, mining and special agricultural developments, irrigation projects, were practically all in the hands of foreigners, the Americans preponderating in railroad and mining. Other nationalities were in other lines.

Mr. KEARFUL. What has been the bases of the revolutions in Mexico, as you have observed them?

Mr. THOMAS. Nearly always political ambitions.

Mr. KEARFUL. You mean personal ambitions?

Mr. THOMAS. Personal ambitions.

Mr. KEARFUL. The manifestos issued by revolutionary leaders usually are in terms of high principle?

Mr. THOMAS. Generally very good reading, yes.

Mr. KEARFUL. But you think that nevertheless the real motives of revolutions have been something different from that?

Mr. THOMAS. Without any question. To get personal control, and to use that control for their own personal benefit.

Mr. KEARFUL. It has been common for revolutionary leaders to promise the natives restoration of lands and other property. Do you believe that it is practicable to divide up and distribute the lands among the native population?

Mr. THOMAS. I think it is practical to make a wider distribution of landowners, and it should be done, in Mexico, and could be done properly.

Mr. KEARFUL. Has any attempt to make such distribution been made by any of the revolutionary leaders after they came into power?

Mr. THOMAS. You are speaking of the present revolution?

Mr. KEARFUL. I mean since the time of Porfirio Diaz.

Mr. THOMAS. No. I was thinking of that time of some of Diaz's undertaking, where he sought to get the Indians on land and where he was fairly successful, in a small way, in that. Perhaps I should answer the question a little differently.

Mr. KEARFUL. What about the subsequent conditions?

Mr. THOMAS. The subsequent conditions in Mexico have not developed any successful movement toward a wider distribution of ownership in land.

Mr. KEARFUL. Is it not true that most of the lands in Mexico are arid, and require irrigation?

Mr. THOMAS. That is true, in the northern part.

Mr. KEARFUL. And is it possible to divide such lands into small tracts, as an initial operation?

Mr. THOMAS. Not the arid lands, but there are large areas in the south that I think could be divided with good economic results, and it should be done.

Mr. KEARFUL. Do you know of such operations since the time of Porfirio Diaz?

Mr. THOMAS. No; I know of none, and in fact, I know it has not been done.

Mr. KEARFUL. You do know that during his time certain efforts were made to effect a large distribution of land?

Mr. THOMAS. Yes.

Mr. KEARFUL. What has been your experience and observation with reference to protection of Americans' rights and interests in Mexico by this Government since the time of Porfirio Diaz?

Mr. THOMAS. There has been no effort to protect American rights, and, on the contrary, there has been a repudiation of distinct pledges that were made to us, officially and semiofficially, when we went into Mexico.

Mr. KEARFUL. Can you relate some instances of delinquency on the part of this Government in that respect?

Mr. THOMAS. In respect to property rights?

Mr. KEARFUL. Yes; and life also.

Mr. THOMAS. There are so many of them I do not know just what one to refer to. There has been absolutely no response to the appeal of Americans for the protection of their property or lives in Mexico since the time of the Diaz régime. Prior to that time, through a continued effort on the part of Washington to secure rights for Americans, it was successful in large degree.

Mr. KEARFUL. What has been the condition of mining operations since that time?

Mr. THOMAS. Mining operations were seriously hindered from time to time during the various revolutions, and after making attempts to resume, were practically put out of business entirely for a long period of time. More recently, operations have been carried on fairly aggressively in very limited areas, which were under special protection, and which were convenient to the large cities and the railroads. In these efforts the present government, the Carranza government, has practically directed that operations be carried on so as to provide labor for the large number of men dependent upon this

industry. The industry has practically been confined to the railroad districts, as I have said, and has only been in camps where there has been equipped and developed mines ready for operation. There has been little or no attempt to develop new mines or install new equipment for operations except in these few favored and special localities.

Mr. KEARFUL. To what extent have the mining operations decreased since the time of Diaz?

Mr. THOMAS. Probably 90 per cent of the responsible active mining undertakings that were under way in the time of Diaz have been entirely suspended or have become financially involved and are thereby a loss to their American owners.

Mr. KEARFUL. Have you an estimate of the number of Americans who are still operating in Mexico as against the 75,000 that were there in the time of Diaz?

Mr. THOMAS. I have had estimates that the number of Americans in Mexico now, outside of the officials, do not exceed 3,000 to 5,000.

Mr. KEARFUL. Do you know what has become of the remainder?

Mr. THOMAS. They all had to leave the country during the various periods of acute trouble, or under orders from Washington. Most of them have lost their positions and connections and their personal property and have been obliged to seek work elsewhere, either in the United States or South American countries. Most of them have had to practically start over in life.

Mr. KEARFUL. The committee has had some difficulty in securing mining men who are still operating in Mexico to testify. Do you understand the reason for that reluctance?

Mr. THOMAS. Mining men who are interested in Mexico now, or are expecting to become interested in the future operations, are very reluctant to appear before the committee for the reason that they feel that they may either jeopardize lives and interests in Mexico, or do injury to the interests of their companies and employers by reason of the public record which is made at these investigations.

Mr. KEARFUL. Have you in mind some instances of outrages committed upon Americans which were reported to the State Department, and the action taken by the State Department as illustrating its interest in Americans?

Mr. THOMAS. I have in mind a large number of cases, but I can cite one or two that come within my own personal knowledge and touch, because of the personal acquaintance with the unfortunates involved.

One case is the case of Howard L. Elton, who was a mining engineer from Montana, and a competent and effective man, too, who went to Oaxaca about 1900 to take charge of some American companies who were operating there. After the beginning of political troubles in Mexico these operations ceased and he undertook to continue his profession by doing assaying and buying ores. As I understand it, from correspondence and other information, he was arrested, charged with a technical offense of buying ore from the rebels, and was tried and condemned to be shot. Every effort was made on the part of his friends to reach the State Department and secure some intervention that would protect him from this severe and undue penalty. After a long delay the State Department did finally secure a hearing from the Mexican authorities and secured a promise of favorable action in the case. In the meanwhile, Elton was shot.

Mr. KEARFUL. What other cases have you in mind?

Mr. THOMAS. I have in mind Boris Gorow. Boris Gorow was a Russian who had become an American citizen and was engaged in mining in the south of Mexico. Subsequently he took charge of some American-owned property in Jalisco. This was attacked by rebels, and he and a couple of American employees drove them off. Subsequently the rebels returned to seize the property and succeeded in getting between the property and where Mr. Gorow was, and finally shot him. He was supposed to be dead, and the rebels, as is customary in such cases, noticed that he had gold-filled teeth and undertook to remove his teeth for the gold. It was reported to me by the surviving member of the party that Gorow was still alive at the time, and was able to bite the finger of one of the rebels, with the result, of course, that he was killed and his body thrown over a precipice. Together with friends of Mr. Gorow, the matter was taken up with the State Department by us, and after a long delay we were advised that the facts were substantially as we understood them. No other action was taken.

Mr. KEARFUL. No action was taken to secure redress?

Mr. THOMAS. So far as I know; I have not tried to find out.

Mr. KEARFUL. What year was that?

Mr. THOMAS. That was in 1915.

Mr. KEARFUL. Have you in mind any other reports?

Mr. THOMAS. I have in mind reports coming to me from indirect sources in Sonora from teamsters at the station of La Colorada, near Hermosillo. This man was shot from ambush, and it was given out officially that he was shot by the Yaqui Indians. As a matter of fact, it was commonly understood, locally, that he was shot by some of the Carranza soldiers, who committed this act so as to afford an excuse for remaining inactive in Sonora instead of being sent to fight the Villistas at Juarez, who were then active at that place.

Mr. KEARFUL. The idea being that this man having been reported as killed by the Yaquis, it was necessary for them to stay to suppress the Yaqui Indians?

Mr. THOMAS. Wanted to raise a Yaqui scare, which was enough to set everybody going in that part of the country.

Mr. KEARFUL. What do you know about notice given to the American authorities of the Columbus raid before it occurred?

Mr. THOMAS. My information is, from indirect sources, that the American authorities at El Paso were notified that Villa was in the hills within 2 days of Columbus, and they expressed disbelief in it. As a matter of fact, he was there or his party was there. It was also reported that he was there for the purpose of receiving a courier who was due to arrive from Yucatan, representing the rebel activities in that part of Mexico at that time. It was not uncommon for him to receive couriers from rebel chiefs, and they had to pass through American territory, and this was done with the consent of the American authorities, and it was done on numerous occasions. On this occasion Villa is reported to have notified the authorities that a courier was due to arrive, to be in New York and El Paso, from Yucatan. The courier was permitted to proceed to the Sheldor Hotel in El Paso, and was there arrested and his papers examined.

Villa, on learning of this, is said to have ordered the raid on Columbus.

Mr. KEARFUL. Do you remember about the Carrizal incident, where a number of American soldiers were killed by Mexicans during the Pershing expedition?

Mr. THOMAS. I am quite familiar with the published information concerning it.

Mr. KEARFUL. Do you remember the correspondence that preceded that incident between the military commander and Gen. Pershing?

Mr. THOMAS. At the time; yes.

Mr. KEARFUL. What was the substance of that?

Mr. THOMAS. It was an agreement between the military commander of that division and Gen. Pershing with reference to mutual rights of the two armies in that territory.

Mr. KEARFUL. Well, you remember that Gen. Trevino notified Gen. Pershing that if he should move his forces south or east or west, or any other direction except north, he would be attacked?

Mr. THOMAS. Yes; I remember that distinctly.

Mr. KEARFUL. And Gen. Pershing answered that he would move his forces wherever he pleased, and that any attack upon them would be followed by the gravest consequences?

Mr. THOMAS. I remember that distinctly.

Mr. KEARFUL. And he would use his whole force?

Mr. THOMAS. Yes.

Mr. KEARFUL. And the Carrizal attack took place and a number of American soldiers were killed?

Mr. THOMAS. Nineteen, I think.

Mr. KEARFUL. And no action was taken. Did you have any conversation with any American officers with reference to their attitude on that action?

Mr. THOMAS. The attitude of the American officers and the American soldiers of the Pershing expedition who were in contact with this incident was distinctly in condemnation of the situation which was permitted to arise. The officers had great difficulty in preventing actual mutiny of the privates, who felt that their comrades and Lieut. Adair had been officially murdered, to use the expression which was given to me.

Mr. KEARFUL. Whom did they blame with the lack of action?

Mr. THOMAS. They blamed the authorities at Washington.

Mr. KEARFUL. They did not blame Gen. Pershing?

Mr. THOMAS. They did not, because he was under orders. I believe that Gen. Pershing could have captured Villa if he had been given a free hand at that time. In fact, it was generally known where Villa was, and Pershing must have known, of course.

Mr. KEARFUL. Was that the general opinion of the officers familiar with the situation?

Mr. THOMAS. It was the opinion of Americans who were in that district at the time. They all knew where Villa was, approximately.

Mr. KEARFUL. What do you know about an understanding between representatives of this Government and the allied governments at Paris with reference to Mexico at the time of the negotiation of the treaty?

Mr. THOMAS. The British interests in Mexico, for a time during the early part of the war, in 1914 and 1915, were disposed to make American connections in order to protect their American interests and se-

cure their rights in Mexico. This was evidenced by a number of matters which came up in connection with mining negotiations during that period. However, when the peace conference was in session at Paris this attitude changed entirely, and direct instructions were sent from the representatives of large British interests in Mexico to their associates and representatives in this country not to cooperate or affiliate or become in any way involved in connection with any of the American financial interests in Mexico, or with the American Government policy with regard to Mexico.

It subsequently developed, as personal correspondence from England indicated, that the English interests were acting on the assumption that there had been an agreement between the principal parties to the peace conference that no action would be taken in regard to Mexico until after the peace treaty had been signed, and that then there would be a conference between the principal parties on the allied side preceding any action in regard to Mexico.

There has been direct information from London to this effect, conveyed to Canadian and British interests who are concerned in the Mexican situation.

Mr. KEARFUL. Are you informed in a general way as to the amounts owing by Mexico, and the funded debt?

Mr. THOMAS. The public debt and railroad debt?

Mr. KEARFUL. Yes.

Mr. THOMAS. Yes; I have been over that information a number of times.

Mr. KEARFUL. That is all in the record here?

Mr. THOMAS. Yes; and other places.

Mr. KEARFUL. I want to ask you whether you believe that under proper conditions Mexico would be able to pay its debts?

Mr. THOMAS. Mexico should, by no means, be considered a bankrupt nation. I feel quite sure that a scrutiny of the public finances of Mexico and a consideration of its natural resources and potential resources would present a very convincing result as regards the solvency of Mexico and the possibility of Mexico paying, under proper conditions, all of its public debts, and any reasonable, or even a very large, amount of claims for damages arising out of the revolution. This, of course, would have to be done through some bonding and financing arrangement, but it could be done in a way that would make no excessive tax burden on the Mexican people or the Mexican nation. In fact, I think Mexico, under proper financing and efficient financial management, would soon take its place with a better financial rating and credit than most of the European countries, and probably along the line of our own country.

Mr. KEARFUL. Do you think that result can be accomplished by the present Mexican authorities?

Mr. THOMAS. It can not.

Mr. KEARFUL. What do you think is the first essential thing that must be kept in view in accomplishing that result?

Mr. THOMAS. The essential thing is a change in the policy of the Mexican Government and a change in the personnel of the men to come into control under the new order of things.

Mr. KEARFUL. In order to arrive at a result where Mexico would be on a sound financial basis, is it not essential that there should be

established in Mexico a Government upon which foreign creditors could rely as permanent?

Mr. THOMAS. It is essential there should be established a permanent government, and it should be along lines which would lead to the development of the natural and latent resources of the republic.

Mr. KEARFUL. Do you believe that such a government can be established without outside assistance?

Mr. THOMAS. I believe not, under the present conditions.

Mr. KEARFUL. What form do you think such assistance should take?

Mr. THOMAS. I believe it is necessary for the American Government, acting in accord, as far as it possibly can, with the leading nations of Europe that are interested in Mexico, to definitely set forth some constructive general program for Mexico, and at least to give the Mexicans an opportunity to conform to it, and to give them substantial assistance in conforming to this plan. If they do not, as they probably will not, do this of their own initiative, as long as the present Government is in control, then it will lead to the necessity of some pressure being brought to bear upon the Government of Mexico as it exists to-day and upon the controlling influences of that Government.

Mr. KEARFUL. What form do you think it should take?

Mr. THOMAS. I think moral pressure and general presentation of a firm front would do a great deal toward preparing the way for a change in conditions, and then, as an alternative, some firm, definite and vigorous plans of enforcement should be announced and carried out. The plan of armed intervention to conquer the country should be held in abeyance as the last resort, and probably would not be required at all if such a policy were promptly announced and a means to carry out were made evident along with the announcement of the intention to do so.

Mr. KEARFUL. Do you believe it would be sufficient to send an ultimatum announcing just what Mexico would be required to do?

Mr. THOMAS. I do not think it would be sufficient, but it would probably be a wise first step.

Mr. KEARFUL. Do you think that step should be taken without the intention of following it up with force?

Mr. THOMAS. By no means. We have already fumbled too many times with regard to Mexico, and the psychology of the Mexican people, and particularly the Mexican leaders, is such that unless they know we mean it, and not only mean it but are prepared to effectively carry out any program or plan, they will only be amused at the effort and make light of it.

Mr. KEARFUL. In view of the many forcible notes which have already been sent, do you believe it would be possible to convince them we meant business without using force?

Mr. THOMAS. It probably would not, if these notes came from the same administration that the others have come from. A change of administration might make a change of attitude toward the note from the State Department in Washington.

Mr. KEARFUL. What do you think would be the effect upon the sentiment of South Americans toward us of a firm and forceful Mexican policy?

Mr. THOMAS. The effect would certainly not be harmful, and probably would be beneficial by way of precedent and example. The South American countries have no particular community of interest with Mexico, notwithstanding the bond of common origin and of common language. In fact, Mexico is very little understood by the ordinary South American, and the sympathies, at least in the more important countries in South America, are certainly more favorable to the American policy and the American people than they are to the Mexican people.

Mr. KEARFUL. Do you believe that we would lose any prestige with the South American people by adopting a forceful policy toward Mexico and backing it up by force, and using force if necessary?

Mr. THOMAS. We would certainly not lose, assuming that our policy were based on proper motives and for good justification. I feel very sure that the Venezuela incident in the Cleveland administration and the Rasuli incident in Morocco were not only beneficial with regard to their influence on South American ideas, but were distinctly approved by most of the South American statesmen and publishers.

Mr. KEARFUL. What do you think has been the effect upon our prestige in South America of the policy that has been followed toward Mexico?

Mr. THOMAS. My own experience in Brazil in 1917 indicated, first, that the American policy toward Mexico was looked upon with bewilderment, complete lack of understanding, and the general conclusion was that we had made a mistake in not taking a definite, firm stand, irrespective of what the results might have been. I think such a stand would have been both understood and approved.

Mr. KEARFUL. Do you remember the circumstances of President Taft visiting President Diaz on the boundary line at El Paso?

Mr. THOMAS. That was in 1909, was it not?

Mr. KEARFUL. Yes; or 1910.

Mr. THOMAS. I am familiar with that; I was in Mexico at the time.

Mr. KEARFUL. And the circumstance that the photograph of Taft and Diaz was taken together?

Mr. THOMAS. Yes.

Mr. KEARFUL. Will you please describe the effect of that upon the Mexicans in Mexico?

Mr. THOMAS. Mr. Taft good naturedly permitted himself to be photographed standing alongside Porfirio Diaz, I think on the international bridge; at least, on the Mexican side. This photograph was immediately rephotographed, by order of the Mexican Government, and copies were sent to all parts of the Republic, and under it was labeled, the "Two Great Presidents of the Two Great Republics of North America."

Those of us who were in Mexico at the time considered this incident trivial, as it seems, but it was a very serious one as affecting the influence and standing of Americans in Mexico, for it gave the Mexican masses and the Mexican people an opportunity to place their own Government and their own country on at least an equal plane with the United States, which, of course, was not a fact in any way, and it was harmful to the interests of both people.



Mr. KEARFUL. Was there not something in the photograph itself which indicated that Mexicans or the Mexican President was on something more than an equal plane?

Mr. THOMAS. The uniform and distinctive military appearance of Porfirio Diaz, of course, was in contrast to Mr. Taft's democratic attitude. This, naturally, was misinterpreted by the Mexican people.

Mr. KEARFUL. Is there any further statement you have in mind you would like to make?

Mr. THOMAS. I feel very sure it is impossible for any solution of the Mexican situation to be worked out with the Carranza Government. The Government is distinctly hostile to Americans and American politics, and has no fear or respect or consideration for the present American Government. The Carranza government has not the confidence of the substantial Mexican interests, and simply maintains itself in power through corrupt and improper means and by military force, and it does this simply because of the disordered and distraught condition of Mexico. The recognition of Carranza by this Government was a mistake, and there was no excuse for it at the time. This has been amply demonstrated by the repeated instances that have happened, and the relations between the two administrations, and it is also demonstrated by the avowed policy of the Carranza government and the crowd that directs the policies of his administration in their open disregard to American interests and their shameless attempt to create prejudice against Americans in Mexico and to misrepresent the relation and attitude of Americans and the American people and the American Government toward Mexico.

Mr. KEARFUL. Is there an element in Mexico that can be relied upon to maintain a permanent government of laws with the assistance of some competent outside power?

Mr. THOMAS. There is a sufficient number of Mexicans who are interested in the establishing and maintaining of a sound and permanent government in Mexico to take over and manage the affairs of that country, if they are given a chance.

Mr. KEARFUL. Are not the members of that class at present residing outside of Mexico?

Mr. THOMAS. Many of the more competent men in political life and in business life are residing outside of Mexico, or, if they are still remaining in Mexico, are entirely inactive in public affairs. There are a number of people, Mexicans, still remaining in Mexico, but they keep absolutely still, and only ask to be let alone.

Mr. KEARFUL. Can you say something about the Mexican people themselves?

Mr. THOMAS. The great mass of the Mexican people, while illiterate, are not degenerate, nor are they vicious or criminal, and while they have not the capacity for self-government up to the standards that we have, or that are expected of this day, yet they have a general spirit of acquiescence to authority, and respect for authority, which, properly directed, would make for the basis of a satisfactory government. In fact, it would be easier to control them and control them for their own good and for the good of the country than it would perhaps some other people with more education and with more independent ideas. The Mexican peon is a good workman, and is not troublesome, except in small ways, and could be made a very sub-

stantial basis for citizenship and development of industry and business in the country.

Mr. KEARFUL. Is the Mexican peon, as a rule, faithful and loyal?

Mr. THOMAS. The Mexican peon is, as a rule, faithful and loyal, and generally satisfactory to the American employer.

Mr. KEARFUL. Is he by nature quarrelsome and turbulent?

Mr. THOMAS. He is not quarrelsome, nor turbulent, and he is generally quite appreciative of fair treatment.

Mr. KEARFUL. What percentage of the population is comprised of that class?

Mr. THOMAS. The population estimates in 1910 were about 15,000,000 and about 4,000,000 of these were estimated to be Indians—not peons, but Indians, absolutely unaffiliated with the race of the Mexican people and untouched by modern civilization. Many of these Indians do not even speak the Spanish language.

Of the remaining 11,000,000 from 2,000,000 to 3,000,000 were supposed to be able to read and write. Practically all of the remaining population was in the peon class, which represented mostly Indian blood with some small admixture of Spanish blood.

Mr. KEARFUL. And it is that class that you regard as worthy, industrious, and capable of improvement?

Mr. THOMAS. It is the great peon class that is certainly deserving, and they are capable of rising to a much higher plane, socially and economically. They are not ambitious in themselves, but they are adaptable to conditions. A distinct advance was made in the peon class due to the contact and influence of the American interests in Mexico. This was readily recognized in any of the mining centers, and the advance was appreciable during the latter years of American activities in Mexico.

Mr. KEARFUL. Do you think the activities of foreign enterprise in Mexico is necessary to the welfare and advancement of this class of people?

Mr. THOMAS. There is no question but what the foreign influence in Mexico is beneficial to the lower classes, and it was necessary in order to permit of opportunity for them to have broader employment and for them to have an opportunity to develop in educational ways and in industrial efficiency.

Mr. KEARFUL. I believe you said it was true, according to your observation, that nearly all of the economic development of Mexico has been carried on by foreigners?

Mr. THOMAS. Practically all of it has been carried on by foreigners. There have been no great undertakings that were financed by Mexicans, either railroad building, irrigation, mining, or general industrial and economic enterprises of that character.

Mr. KEARFUL. What do you think would be the effect upon Mexico of the entire elimination of all foreigners and foreign enterprises?

Mr. THOMAS. It would be stagnation and poverty.

Mr. KEARFUL. I believe that is all, unless you have something further.

Mr. THOMAS. I have nothing directly in line.

Mr. KEARFUL. We are very much obliged to you, sir.

(Whereupon, at 12.45 o'clock p. m., the committee adjourned.)

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# INVESTIGATION OF MEXICAN AFFAIRS

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**HEARING**

**BEFORE A**

## **SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE**

**SIXTY-SIXTH CONGRESS**

**SECOND SESSION**

**PURSUANT TO**

### **S. Res. 106**

**DIRECTING THE COMMITTEE ON FOREIGN RELATIONS TO  
INVESTIGATE THE MATTER OF OUTRAGES ON CITIZENS  
OF THE UNITED STATES IN MEXICO**

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### **PART 10**

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**Printed for the use of the Committee on Foreign Relations**



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# INVESTIGATION OF MEXICAN AFFAIRS.

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TUESDAY, FEBRUARY 3, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,  
*El Paso, Tex.*

The subcommittee met, pursuant to the call of the chairman, at 10.30 a. m., in the county court room, courthouse, El Paso, Tex., Senator Marcus A. Smith presiding.

Present: Senator Smith and Dan M. Jackson, Esq., clerk of the subcommittee.

Senator SMITH. Before opening the proceedings this morning, I deem it appropriate to allay, if I can, the prejudice that has been created in some portions of the public mind by false, and, in my judgment, premeditated false statements as to the purposes and objects of the investigation by this committee of the Senate. A resolution was introduced in the Senate of the United States looking to an investigation of the conditions existing in Mexico and along the border; in that there was no hostility to Mexico, either thought of or suggested. That was referred to the Committee on Foreign Relations, of which Senator Fall, chairman of the subcommittee, and I, are the present members. He is, unfortunately, absent this morning, but I expect him to be here with me to-day. I understand, and I am very glad to see that the Mexican consul has a reporter with me, and this has led me to say what I am now attempting to place before the public. I come with no animosity against Mexico; I know of no man that does not regret conditions there, and of no true man that would not help them in any way they could to get out of their present awful condition.

In that light, I take advantage, speaking for myself, and I have no doubt it is the sentiment of my colleagues on the committee, to extend an invitation to anybody, to the Mexican Government if needs be, to its consular agents in this country, and to any man of any nationality in the Republic of Mexico that can state to this committee facts in the purview of our resolution that will lead us to report the actual facts to the Senate of the United States. We welcome any testimony from any source that is responsive to this resolution, and instead of laying a penalty on anyone who happens to appear before the committee to testify, it would be more in the spirit of the committee's purpose itself to invite everyone who knows the facts to come and testify instead of laying an embargo, feeling as the committee does, that they are very glad to exhibit this friendly desire to give us an absolute insight into these conditions. Acting

on that, I can say that the committee will welcome testimony responsive to this resolution, no matter with whom he is connected; providing, always, he is giving the facts upon which the committee can hope to rely.

### TESTIMONY OF CAPT. S. H. VEATER.

(The witness, being duly sworn, testified as follows:)

Senator SMITH. Capt. Veater, where do you live?

Capt. VEATER. At the present time, 2616 San Diego Street, city of El Paso.

Senator SMITH. Are you a citizen of the United States?

Capt. VEATER. Yes, sir.

Senator SMITH. How long have you lived in El Paso?

Capt. VEATER. I have been registered in El Paso for the past 16 years.

Senator SMITH. What positions, if any, have you held in the city at different times?

Capt. VEATER. I have held the position of captain of police and captain of detectives and peace officer here for about six years and am still in the employ of the city.

Senator SMITH. Did you have occasion at any time to go to the Republic of Mexico?

Capt. VEATER. Yes, sir.

Senator SMITH. When?

Capt. VEATER. In 1901, I made my first trip.

Senator SMITH. Where to?

Capt. VEATER. I came through the State of Sonora into Chihuahua and made a little investment there at that time, and returned a year later.

Senator SMITH. From there did you go anywhere, or did you go to the settlement of Americans in Mexico?

Capt. VEATER. Yes, sir.

Senator SMITH. Where was that?

Capt. VEATER. In 1902, I went to a little settlement known as Colonia Chuichupa, in the State of Chihuahua, District of Guerrero.

Senator SMITH. How many Americans in this colony?

Capt. VEATER. There were perhaps 200 people there, more or less.

Senator SMITH. Under what concessions, if any, did they go?

Capt. VEATER. I can not say as to the concessions, the colony was in there but as to just what the arrangements were and what the concession was, I do not know.

Senator SMITH. You don't know the particularities under which the concession was made then?

Capt. VEATER. No, sir.

Senator SMITH. How long did you live there?

Capt. VEATER. I ranched there for about 13 years.

Senator SMITH. What were the conditions there during the time of your first—I mean as to peace and order, from the time of your first settlement, up to say the starting of the revolution in Mexico?

Capt. VEATER. It was absolutely first-class.

Senator SMITH. Safe in every particular?

Capt. VEATER. Safe in every particular.

Senator SMITH. When did the first trouble happen down there?

Capt. VEATER. As I remember it, the first trouble that came to me was along in 1909 or 1910; about that time the revolution commenced to take effect there.

Senator SMITH. Well, what was the nature of that?

Capt. VEATER. Well, the condition was that the revolutionists in the country commenced to demand the resources in the way of first-saddle horses, saddles, and provisions and that was met to quite an extent until the time they demanded the guns and ammunition that the colonists and American citizens there were in possession of, and the people there had kind of a conference and took under consideration what the results might be if guns and ammunition were delivered to the revolutionists, and leaving the women and children and families in the country without any protection; we had none from the Government at that time, and none only what we might furnish ourselves. Gen. Inez Salazar, at the time, was in command of Colonia Garcia and Colonia Pacheco, and that district, and he demanded that guns and ammunition be surrendered, and if they were not surrendered, they would be forcibly taken.

Senator SMITH. Who was this?

Capt. VEATER. Inez Salazar.

Senator SMITH. Was he a revolutionist against the Government of Mexico at the time, or was he in consort with the Government?

Capt. VEATER. He was looked upon as a representative of the Government when the revolution was started in the State of Chihuahua where I was well acquainted. There were three divisions; there was one under Salazar, one under Pascual Orozco, and there were four, one under Jose de la Luz Blanco and one under Inez Salazar. When the Diaz Government was overthrown, they came in power, and so far as we were then able to find out they were in full charge of Government affairs and we were compelled to deal with them and look upon them as such as we had no other representatives of the Government but those at that time.

Senator SMITH. Do you remember at that particular time who was the head of the Mexican Government?

Capt. VEATER. Well, at that particular time when it started, President Porfirio Diaz was at the head and later Madero, and just about the time of President Madero's execution, while the Government was in such a confusion that these same people were in power, but we were unable to learn definitely what the consequences were going to be: they had killed one President, another had temporarily taken charge, they were on the ground at present and there was no other authority there as far as we were able to establish the condition.

Senator SMITH. At this particular unsettled time, I understand you, they had demanded of you saddles, horses, etc.?

Capt. VEATER. Yes, sir.

Senator SMITH. Then when they made demand for all the guns in the American settlement, what did you do?

Capt. VEATER. We told them, the representatives of the American people, the American colony, which were Americans that were there, they were Americans, and there was no distinction among the American colonies, we had two or three consultations with them and we agreed to give them partly our guns and ammunition, but we



would ship immediately the women and children out of the colonies to the United States, and arrangements were made to that effect. I happened to be in charge of the colony of Chuichupa, as representative of the American people there—a good many of the people were farmers and ranchers—to make arrangements for the delivery of the guns and transportation of the families to the United States. This was the fore part of July. The families from that particular colony—Chuichupa—were loaded in the train at Chuichupa, on the Northwestern Railroad. They were given the guns and ammunition to turn over to Inez Salazar at Pearson, Chihuahua, because we had received a message stating that if when the train arrived that was carrying the refugees, that if they did not deliver the guns and ammunition they would not be permitted to continue their journey. They were loaded on the train at Chuichupa and delivered the guns and ammunition, and we have receipts for them, and they came out to the United States.

In that particular bunch of people there were 42 of us remained, and the second day after the families left we had some scouts out kind of looking around and there was a bunch of revolutionists under a man by the name of Lino Frias that were camped beyond about 8 miles of this colony that night and were being joined there by some more people coming from Madera. Back beyond him, about 40 miles north, was Inez Salazar with a bunch of 400 more—soldiers—and we saw they were coming into the town and we vacated the town, taking such horses and saddles as we could immediately get hold of and we went out into the hills, and I remained on the outside of the town about a mile and a half, and from that point I had a good view with field glasses and watched the troops coming into town. Dark came on and I could not see anything more that night. There was a great confusion in the city that night and the next day. I had a large dairy and a boy was watching my cows. He came out of the field and I went out on the field where he was and asked him what the condition was, and he told me that the people had come in, amounting to about 200, and broke all the windows and ransacked the town and carried off all the bedding and rounded up all the horses and saddles and provisions and everything they could put their hands on, and there were about 15 Mexican citizens, 15 families in all that remained in the colony.

Senator SMITH. What was the purpose—could you understand the reason for taking your guns and ammunition and horses in war time? What had been done to cause the breaking of the windows and the looting of the houses?

Capt. VEATER. There seemed to be a jealousy that existed as near as I could ascertain by the Mexican people, especially under the command of Inez Salazar, having had openly made statements that the time had come when the Mexican citizens were going to live in good houses and American citizens were no longer to be allowed to live in good places and Mexicans live in out-of-the-way places. There seemed to be a jealousy existing there, or desire to destroy property; in many cases it was burned and it was wasted and given away. Beef cattle that was slaughtered in the city, they only used about a quarter of them, and there seemed to be a desire of the troops, what they could not use they destroyed.

Senator SMITH. Underlying that, you concluded, I presume, they intended to drive the Americans out?

Capt. VEATER. Yes, sir. On different occasions when I was a prisoner of war, five different times they gave me all the chances to escape, and I knew they wanted me to escape because they felt after I was gone they would have freer access to what I had left. They oftentimes left me by myself, and demand was made on me for money, property, beef cattle, saddle horses, and equipment. It seemed to be indifferent to them whether I stayed with them or ran off.

Senator SMITH. Let me go back a little.

Capt. VEATER. Yes, sir.

Senator SMITH. At the time that your first trouble started, what was the condition of that colony of Americans down there as to their homes, crops, stock, etc.?

Capt. VEATER. They were extremely successful there and prosperous. Their colony was producing a good deal of corn, potatoes, and farm products for the market. They had two sawmills, a good many cattle and horses and stock was quite extensive there. The machinery was very extensive; all modern machinery for farming and dairying and the colony was absolutely up to date in every respect so far as modern instruments for agriculture and ranching were concerned; good homes and farming under the modern way of agriculture.

Senator SMITH. How many colonies do you know of down there in that country similar to this one?

Capt. VEATER. I knew personally of six in the State of Chihuahua.

Senator SMITH. Among those, was that colony of Juarez one of them?

Capt. VEATER. Yes, sir; Colonia Juarez.

Senator SMITH. About how many people in that do you know?

Capt. VEATER. There was somewheres in the neighborhood of 300.

Senator SMITH. Garcia?

Capt. VEATER. Garcia has somewhere in the neighborhood of 150.

Senator SMITH. Do you know of the colony of Pacheco?

Capt. VEATER. Yes, sir; the colony of Pacheco was located there in the mountains and had about 150 citizens.

Senator SMITH. Do you know the Diaz colony?

Capt. VEATER. Colonia Diaz. Yes, sir.

Senator SMITH. Colonia Diaz—Colonia Diaz, I think they called it.

Capt. VEATER. Colonia Diaz was located in Chihuahua, in the northwestern part and probably had about 300 citizens.

Senator SMITH. And Dublan?

Capt. VEATER. Dublan was located close to Casas Grandes at that time and had somewhere in the neighborhood of 250 or 300 citizens.

Senator SMITH. Any other you remember, Chuichupa?

Capt. VEATER. There was Colonia Chuichupa, the Colony of Chuichupa, Colonia Garcia, Colonia Pacheco, Colonia Dublan, and Colonia Porfirio Diaz; six in all in the State of Chihuahua that I was personally acquainted with.

Senator SMITH. Did you personally know the general conditions of those colonies?

Capt. VEATER. Yes, sir; absolutely.

Senator SMITH. Will you tell the committee whether or not the same general conditions prevailed in all of them as you have described as to the first up to the time the trouble commenced in Mexico?

Capt. VEATER. The same conditions existed in all of the colonies. In Colonia Diaz there was a subbank that was used for the deposits of the American citizens in that neighborhood. I had a little better than \$4,000 on deposit there. It was robbed, ransacked, and looted, and after looting everything was lost. In the other colonies there were no Americans left at all. In the houses the windows were all broke out, pianos and organs were broken open, the floors all torn up, some of the buildings were burned, some of the mattresses, feather beds, and things like that were ripped wide open and feathers scattered all over the house; in many cases pigs had been turned out and they were using the houses for pig pens and the schoolhouse was used as a stable for horses.

Senator SMITH. Were there no Americans left at all?

Capt. VEATER. At that time, in the month of July, 1912, there was no American left in the colonies at all; all the American families had left; once in a while you would strike an American colonist, rancher, just keeping out of the way, laying around to see if he could save some of his property.

Senator SMITH. That was true of the one you had first testified about?

Capt. VEATER. Yes, sir.

Senator SMITH. That was the general condition of all of them?

Capt. VEATER. All of them.

Senator SMITH. Prosperity up to the time the revolution started; after that devastation of the property of which you spoke?

Capt. VEATER. Yes, sir.

Senator SMITH. Has any of that property, that you know of, been reclaimed and reestablished and the citizens back in possession of it since they were driven out?

Capt. VEATER. Yes, sir. In some of those colonies at this time there are a few citizens in all of them, except in Colonia Dublan.

Senator SMITH. A few citizens; what do you mean by that?

Capt. VEATER. A few colonists that have returned there to take care of what little they could accumulate and get together, and staying more for the sake of protecting their property and trying to claim it. They are afraid if they leave it they will lose it entirely.

Senator SMITH. Do you know whether or not it has already been turned over to the citizens of the Mexican Republic on the ground that it has been abandoned property and they had left it and abandoned it, and therefore under the laws it was turned over to these other people?

Capt. VEATER. No, sir; I don't know anything; only just a few cases where the Mexican generals have told the Mexican people that they may take possession as they are there temporarily in possession of some of the property there now.

Senator SMITH. Do you know whether or not any of the irrigation dams were blown up?

Capt. VEATER. Yes, sir; I know one in Colonia Garcia was blown, and I am told by people who visited one in Sonora the dam was

blown up on Colonia Morales. I have not seen that myself, but the citizens who left there told me it had been blown out and absolutely destroyed.

Senator SMITH. Do you know whether or not any claims have been filed as to the amount of damages by any of these colonists of which you have spoken with the State Department or the Mexican authorities?

Capt. VEATER. Yes, sir; I know some of them have been filed with the State Department, and in many instances several requests have been made to the Mexican Government to see what they could do about remuneration for property lost by American citizens.

Senator SMITH. As to the filing of the claims, you don't know whether they have all been filed or not?

Capt. VEATER. No, sir; I don't know.

Senator SMITH. About what was the amount of loss, would you estimate, in that colony of which you have spoken, as to the destruction of houses, etc.?

Capt. VEATER. About \$500,000.

Senator SMITH. In that one colony alone?

Capt. VEATER. Yes, sir.

Senator SMITH. Now, the men that were employed by you—what I mean, by the people there—what nationalities did they belong to?

Capt. VEATER. They were all Mexican citizens that were employed and doing the labor there at a wage proposition.

Senator SMITH. What about the wages paid as compared to the wages formerly being paid to laborers in Mexico?

Capt. VEATER. The first year I operated in the State, as well as the neighborhood there, we were paying Mexican laborers 50 cents a day, Mexican money—silver; the last year we operated there, in 1910, when we used any men at all we were paying \$2 per day, and the wage had year by year raised little by little from 50 cents to \$2 in the duration of about 10 years.

Senator SMITH. What was the condition of those people who left—you were ordered to give up your guns, you say, and you all concluded the women and children should be moved out of the country, inasmuch as you had no protection either from the American or the Mexican Government—where did those people go to?

Capt. VEATER. Those people came across the port here at El Paso.

Senator SMITH. In what condition did they arrive, as to property and clothing, etc.?

Capt. VEATER. They were absolutely broke—without money; did not have anything but clothes and very light baggage, owing to the fact that the order came so sudden the people had to move out so fast that the Mexican Northwestern Railroad could not furnish cars; bridges being burned out, equipment being in bad shape, they were unable to furnish any baggage cars, and each person was allowed more or less 50 pounds of baggage, and each person got out with just a grip or trunk.

Senator SMITH. Do you know whether or not their condition was such on their arrival here that the United States Government made appropriations for their food and clothes?

Capt. VEATER. Yes, sir; they did. I visited them after they were here in camp and they were furnished provisions, and clothing,

and such things as were necessary, and later on transportation to different parts of the United States where they could get employment, and they were given such financial assistance as they absolutely had to have by the United States Government.

Senator SMITH. What has become of the individual members of those colonies, if you know?

Capt. VEATER. There are a few, probably 10 per cent of them, that have returned to Mexico and 90 per cent of them still remain scattered over the United States, in every State of the Union, now working for a living and getting along as best they can.

Senator SMITH. Do you know anything about what was done with a good deal of the property there, turned over, I believe—or was it turned over to a man named Rojas?

Capt. VEATER. Yes, sir.

Senator SMITH. Please tell about that instance.

Capt. VEATER. In March, 1913—on the 3d day of March—Antonio Gomez, with a brigade of troops, you may call it, of probably 300 or 400 men, came into the colony of Chuichupa, and I was there at the time, and two of the Williams boys were also there; we were just looking after our property there as best we could. He sent in a bunch of scouts, about a day ahead of time, and notified us he was coming over to give us a call by authority of the Government, and he would be there to see us.

Senator SMITH. What Government was that?

Capt. VEATER. The Mexican Government.

Senator SMITH. Who was at the head of it?

Capt. VEATER. At that time I think Huerta was at the head of the Government; it was immediately after the execution of Madero. When he arrived, I think March 5, he immediately gave orders to his men to round up all of the horses that were in the corrals that belonged to the American people, but not to round up anything that belonged to any Mexican people there. There were a few American ranchers there; I was placed under arrest and Mr. Williams also.

Senator SMITH. What for?

Capt. VEATER. He said he wanted to know what we were doing in the country and what we were able to do for the Government, which had been in a state of revolution, but now things were settled again and the Government was more or less bankrupt, and as representative of the Government he had been sent to that particular place to gather up and get some property in the way of stock and horses to be utilized for different purposes by the Government that the Government had to have it for, and asked Mr. Williams and myself how many head of good dairy cows we could turn over for some of the widows and orphans scattered around the country that the Government had to help in the State of Sonora where he was being sent to reinforce some Mexican general down there. I explained to him that we had been very heavily drawn on and had but little left and did not feel like we ought to be forced to turn over anything. We were kept prisoners three days, and during that time a constant round-up was made in town, round-ups of the horses and cattle, etc. After he had gathered all of the horses in the corral he called all of the Mexican citizens together and made them a little talk and told them he was now representing the Government and he

was going to be a general of the State and he wanted to show his sympathy and friendship toward them, and he would make them all a present of a good horse or team. The round-up was practically over and to go down to the corrals and pick them out a horse and what was left he would carry on, which he did, and probably three-fourths of the Mexican citizens went down to the corral and took them a horse or two; the rest of the horses were rounded up and sent down by his men in Sonora and turned over to a man by the name of Francisco Portillo, a rancher in the State of Sonora, known as Rio Chico, and he continued to round up the cattle, holding both Mr. Williams and myself prisoners, and during that time I sent a messenger over to Cumbre and Madera, where there were some federal troops, telling them what was going on and what the condition was, and asking them for some assistance, and they returned word by my messenger, who was Mr. Jess Williams, saying that Antonio Gomez was a representative of the Government, so if he needed any property and was forced to use it on his march it would be paid for by the Government and they could not do anything further about it. He went on then about 10 miles across from town where Mr. Williams and myself had our cattle in a little bunch there, and gathered them up, rounded them all up and took 130 head, and broke into my blacksmith shop and took all of my branding irons, and took every cow and calf that belonged to every widow, woman, and child, and person in the country; he did not leave anything—just rounded them all up, and also took them down to Refugio Portillo and turned them over.

Senator SMITH. That was the last you heard of the stock?

Capt. VEATER. No.

Senator SMITH. What became of them?

Capt. VEATER. I made application through Gen. Calles in Sonora through Jess Williams, who is now in Douglas, bookkeeper of the Sonora Mercantile Co., who had some stock in the bunch. I had taken it up with officials of the State of Chihuahua to see if the stock could not be reclaimed and they told me they were in the State of Sonora and absolutely in the hands of the Sonora officials and I asked Mr. Williams to look into this again over there and to get an order, after which he took it up with Gen. Calles and one or two other officials of the State of Sonora, who kept promising him from time to time that they would do something about it. I sent a Mexican down to see Nemesio Miramontes, who lives now at Madera, and he reported to me that the day before he got in there, the State officials at Supre, in the State of Sonora, had come there and rounded up everything that was on the Portillo Ranch, all the American stuff, and taken it over to the town of Supre. I notified Mr. Williams again that the stuff at Supre, in the hands of those officials, and from time to time he has been working on it until his information showed me that it had all been disposed of, used up in one way or another at Supre and nothing was left.

Senator SMITH. Was any pay ever tendered for any of this stock?

Capt. VEATER. I have never received a cent from the Mexican Government for anything taken from me in any way, shape, or form.

Senator SMITH. What, if anything, had you done; I mean, what, if anything, had you done, or your colony, that would cause the antagonism against you that would appear from the way this property was treated?

Capt. VEATER. That is a question I can not answer. The people were never arrested, or charged or found guilty of any offense.

Senator SMITH. Did you ever know of any of them committing any offense against the Government?

Capt. VEATER. The records show they were clean, law-abiding citizens; they were never arraigned for any violation of Mexican laws for the duration I was in that colony—12 years—there never was but one citizen arrested and charged with violation of the law.

Senator SMITH. A good many of those people down there were Mormons, were they not?

Capt. VEATER. Yes, sir; probably 90 per cent of the people there were Mormon.

Senator SMITH. You are not of that faith?

Capt. VEATER. No, sir; I am not a Mormon; I lived among Mormon people and came out of the State of Utah with them, but I do not practice their religion at all.

Senator SMITH. Do you know a man by the name of Johnnie Brooks?

Capt. VEATER. Yes, sir.

Senator SMITH. What became of him?

Capt. VEATER. Johnnie Brooks came to Colonia Chuichupa along in the spring of 1913, in April, to receive a bunch of beef cattle; he was at that time running a little butcher shop at Madera; he came over and negotiated with myself and Mr. Williams and a man named Farnsworth for a bunch of beef cattle. Mr. Williams and his brother-in-law, by the name of Burges, and another man by the name of Wells and one or two Mexican cow punchers arrived in Chuichupa and asked us if the cattle were together, and we told him we dare not put the cattle together right in the corral, that we would have to deliver them right outside of the little town, there were only five or six Americans there; he said "All right," he would stop the next evening and receive the cattle and pay for them. At that time there was a man there, with 10 or 15 soldiers, by the name of Francisco Portillo; he claimed he was there representing the Government, and had been there in town for probably six or eight months with a little bunch of men. Soon after Mr. Brooks arrived, about 4 o'clock in the afternoon—5 o'clock in the afternoon Francisco Portillo sent one of his men up to ask him who he was and what he was doing; he sent word back by one of his soldiers by the name of Nicolas, telling him that he had come over there to receive a little bunch of beef stock; he was not looking for trouble and did not want any trouble; he could come up and talk to him; he had not come to violate the law in any way; if he wanted to see him come up and call on him. In about 30 minutes Francisco Portillo rode up to the gate with 10 or 15 soldiers and tied their horses at the front gate, and came into a little frame house where there were five or six Americans, maybe eight, of Brooks' men; he asked Mr. Brooks who he was; Mr. Brooks told him who he was and what his business was in coming up there.

For a time, temporarily he stood directly on the floor, he made the remark to Mr. Brooks; he says: "Don't you know I am in charge of this district, and it is a violation of our regulations for you to come over here with a bunch of men armed?" Mr. Brooks says: "Don't you know these mountains are full of renegades and bandits, and people who have come over here to get any cattle, passing through here, have in some cases had their horses taken away, and saddles, and robbed, and in some cases been killed; that is the reputation the country has around here; for that reason I brought a few of my own men working for me, and my arms to protect my life and what little I had with me." Capt. Portillo says: "You mean to tell me you came over here to pay for those cattle, and have money with you," and Mr. Brooks says: "I always have a little money to pay my bills." He says: "I want your arms and ammunition." Mr. Brooks says: "I have never given up my arms and ammunition to anybody." From then on the conversation went on a little bit quiet. Capt. Portillo asked Johnnie Brooks when he came over from Madera, he asked him what the condition of the revolution was, and what the condition was until it led up to the execution of Madero, and what the sentiment of the people was at that time.

Capt. Portillo had taken a seat right in the middle of the house; his men were standing behind him, and right in the middle of the conversation he broke him off, and Capt. Portillo got his rifle and cocked it, and says: "I have come for your guns and ammunition, and I am going to have them." Brooks had just passed a box of cigars around the house, and some of the men lighted them. When Capt. Portillo made his talk Brooks raised up and the two men shot about the same time. The shot out of Brooks's gun hit the sight on the rifle of Portillo and knocked the sight out of it, and it dropped to the floor. Capt. Portillo pulled his gun and shot Brooks right in the neck, the bullet coming out right between the shoulders. About the same time some of the boys, either Brooks or some of the American boys there, shot Portillo right in the stomach. It was a small house about 16 by 16, and the smoke became so thick in there you could not tell who was who. They ran out of the house, and Brooks fell over on the floor, and died; died the next morning about sunrise, and Portillo died just outside of the door. We taken Mr. Brooks the next morning, taken him over to Madera, and turned him over to his wife. I think his wife is in the city now; she was some time ago. He was buried at Madera. I knew him for years. Then we were frequently called on and had to keep out of the way. They figured the captain was killed, so we had no right to take any part in the shooting; self-defense we called it.

Senator SMITH. Do you know anything about the execution of one Ben Griffith?

Capt. VEATER. Yes, sir; about two or three months later, maybe, Ben Griffith was a stranger at the time to me, but he came over to Colonia Chuichupa from Madera with a man named Smith, and came to the same house where Brooks was killed, and said he thought the Madero revolution was going to quiet down, and the mills had closed at Madera, he thought he would come over and take some of that vacant ground around there the Americans would let him have and plant a few beans and do a little farming, while the mills were



commencing operation. We explained to him the country was full of bandits, and it was dangerous to farm there. He did not seem to think so. He had only been there three or four days when a bunch of men came in from Colonia Garcia, commanded by a man named Manuel Gutierrez. He rode up to the house and arrested Griffith and this man Smith and tried to get them to tell them where myself and Mr. Williams, and some of the rest were, and Mr. Griffith explained he knew us and knew we were out in the hills some place, but did not know where. They kept him arrested overnight, and the next morning he told them he was a stranger in the country. They then took him right in the same house and shot him because he would not tell. As a matter of fact we did not tell him where we were going because he was more or less a stranger in the country, and he did not know where he was.

Senator SMITH. What mutilation of the body occurred?

Capt. VEATER. After the body was shot the Mexicans that were there in town, the Mexican ranchers and citizens, dug a little hole there for to bury the body. After the body was put in the hole the face was turned up, and Mr. Griffith had one gold tooth. One of the men took a sword and knocked the gold tooth out of his mouth, picked it up and put it in his pocket, and let the body rest, and some of the others asked as to why it was done. Finally it came to an argument there, and they said he had better put it back in the grave, and he threw the tooth in the grave, and the body still remains there with one tooth knocked out.

Senator SMITH. Did you ever get any cattle out of there at all?

Capt. VEATER. I got a few cattle out of there. The remnants around the house; I think it amounted to something like 60 head. I finally got them over to a little station on the Hearst ranch, and shipped them out through the port of El Paso. I have a record of the number I shipped out, something like 60 head.

Senator SMITH. When you got them here what duty, if any, was charged on getting them out?

Capt. VEATER. Well, I went to make arrangements, and saw several of the customs officials at the port of El Paso here, and port of Ciudad Juarez to get them, I first explained to them my condition. I was broke, and lost nearly everything I had, and could not any longer remain there and take care of the remnants, and asked permission of them to let me bring the cattle out, and showed them my receipt for a good many cattle and property they had got off of me, and I asked them if they could not apply the account on the duty of the cattle, they were owing me several thousand dollars at the time. I did not have the money, and they told me no, they could not, that was another account under consideration and they could not do anything about it. I taken it up with them several different times and explained to them I absolutely did not have the money to pay the duty and would like to get out with the remainder of the stuff, they even charged me \$10 on each of the calves 4 or 5 months old, and \$20 on the cows. I borrowed the money from the American Trust & Savings Bank to pay the duty on them and shipped out the remnants I had left.

Senator SMITH. Do you remember an old man by the name of Stevens?

Capt. VEATER. Yes, sir.

Senator SMITH. What became of him?

Capt. VEATER. Stevens was a rancher just out of the suburbs of Colonia Pacheco, and when the American colonist left there he stated he had made his home there, and all he had was there, and he thought he would remain, and himself and a small boy and two daughters, I think his wife was dead. He was a widower and remained there some month or six weeks.

Senator SMITH. Where was this?

Capt. VEATER. This was a little ranch right close to Colonia Pacheco.

Senator SMITH. All right.

Capt. VEATER. Some bandits of some sort came to his ranch and his girls were out in the yard picking some blackberries, one of the little girls upstairs saw some Mexican in the shade between the girls and the house, and she went and told her father off in another direction; he went to see about what the Mexican was doing and became involved in trouble with the Mexican, he got killed there, they stabbed him and cut him all to pieces.

Senator SMITH. In Colonia Juarez did you know a man down there by the name of George Redd?

Capt. VEATER. Yes, sir.

Senator SMITH. Please give what you know of his history there?

Capt. VEATER. George Redd was a citizen of the colony of Colonia Juarez. One evening he heard a fuss out at his corral, and some Mexicans were out there and he sent out to see what they were doing, and they were in his corral taking some of his horses, he got in a discussion with them and they shot him, shot him in the leg, and a couple of days afterwards he died. His wife is now in Colonia Juarez.

Senator SMITH. Do you know a man by the name of Cain?

Capt. VEATER. Mr. Cain, bookkeeper for the Lavaca—I knew a man by the name of Cain, bookkeeper at the Lavaca ranch; he was arrested and carried off there by a bunch of revolutionists and never has been found since, so far as I know. The report is from some people in the gang he was executed, but as far as I know his body has never been recovered; he has never been heard of since, however.

Senator SMITH. How about a man by the name of Roy Cramer?

Capt. VEATER. Mr. Cramer was the son of John Cramer, who lived at Guerrero, about 3 miles below the town: he was a rancher there and farmer. I did not see what happened, but I met his father and two sons a couple of weeks afterwards and understood they had had some trouble: the father and son told me one of the sons was killed, and they went out in the hills and kept out of the way, and they surprised them one night and commenced shooting at them when they were around a camp fire, and one son was killed, and one son got away. They live in Isleta now.

Senator SMITH. Do you know anything of what became of Hays and John Henry?

Capt. VEATER. All I know there was an American and negro by that name killed in Madera. As to who killed them, or under what circumstances, I do not know, but I know they were killed there; many different people told me they were killed in Madera; I was not personally acquainted with them.

Senator SMITH. You have no personal knowledge of the circumstances?

Capt. VEATER. No, sir.

Senator SMITH. You frequently speak of bandits and revolutionists, and all this. During all this trouble what was the recognized government of Mexico over these districts of which you have been speaking?

Capt. VEATER. What was the condition of them?

Senator SMITH. No; what was the recognized government at that time you speak of, bandits and revolutionists, etc., I am trying to get at?

Capt. VEATER. We have always been of the opinion that the government was the man who was in charge of the presidential chair in the city of Mexico. Many times we have been governed by troops and brigades that seemed to be in revolution against him, and by force of arms compelled us people who had property in the country to be governed and controlled and pay our taxes, and do our business with whoever was in charge of the president's office in the district where we were, so we recognized him as in power.

Senator SMITH. What efforts did you make with whoever was in power to protect yourself against such occurrences of which you speak?

Capt. VEATER. Made efforts through Huerta all the time he was in power, and Madero, first Madero, and then Huerta, and then Carranza.

Senator SMITH. What aid, if any, did you get in your effort to save your property from the recognized government at the time?

Capt. VEATER. Absolutely none, the last notification that I had of my property before it was burned up and destroyed, I received a telegram from Pedro Miramontes, who was in charge of my buildings and my farm. I had nothing left but an old rattletrap wagon and buildings and farm. I now have the telegram, I received it from him; they notified him from the president's office at Madera he would have to vacate that property. He wired me at the time I was in El Paso asking for orders what he should do. I have the original telegram and I immediately wrote him a letter and sent him a messenger to gather up what few traps he had in the way of blacksmith equipment, and a few mill things that were not carried off, what he could get together, and get some little furniture that had not been destroyed, and ship it to Colonia Dublan and store it in the storehouse of Farnsworth & Rumney, which was a large mercantile house. He shipped two carloads of stuff over. I sent a man down to receive it and store it by the name of Vance. He shipped two carloads of stuff which was the remainder of what little stuff was left. I told him anything that belonged to the Colonist people that was of any value to pick it up and ship it to Colonia Dublan and store it, and I arranged with the Northwestern Railroad for two cars to be spotted at Cumbre, which is about 12 or 15 miles from the ranch. Those cars were loaded and sent to Colonia Dublan and stored in the warehouse of Farnsworth & Rumney. Soon after it was broke into by the revolutionists and carried off. Nothing left, absolutely they made a wreck of it, mashed the door in—Villa's outfit was in charge—smashed the door in, they

broke everything that was in there and there was nothing left but just broken boxes.

Senator SMITH. Now you say the revolutionists broke into that?

Capt. VEATER. Yes, sir.

Senator SMITH. And it was in the district that Carranza was supposed to have jurisdiction over?

Capt. VEATER. Yes; he was supposed to have jurisdiction over, and I left it there thinking I would get protection.

Senator SMITH. What protection was offered you there?

Capt. VEATER. Absolutely none.

Senator SMITH. How far from there was any Carranza troops that you know of?

Capt. VEATER. Well, Carranza had some troops that had temporarily been occupying Colonia Garcia, but when the Villistas came there they left.

Senator SMITH. Did you know Abelino Rascon?

Capt. VEATER. Abelino Rascon was a Mexican who was in my employ for nine years. I used him as foreman on my ranch and I sent for him to come out to El Paso to see me to get a little money that I was owing the natives down there that had been doing some farming. I was trying to keep up operation, making an effort to keep me a little feed on hand, and keep my equipment there and make enough to return to it and have some little something. He was using two or three men who ran short of funds, provisions, and clothing. He wired me what his condition was; I told him that under the conditions I did not feel like going down there, I felt it was safer for him to come out, being a Mexican citizen instead of me going down, if he felt so disposed, did not feel like he was taking too much risk to come out to El Paso and I would furnish him what money and provisions he needed to pay off his account, so he did. He came to El Paso and in all he drew about \$1,500, \$700 in money and about that much in merchandise, and he went back over the Mexican Northwestern, and arrived at the Cumbre Tunnel, and the passenger train when in the Cumbre Tunnel, a large number of Americans were on it, and all of them died there in the wreck in the tunnel.

I was notified by Rascon's uncle, who is Pedro Miramontes, that Rascon had went into the tunnel, that the tunnel was on fire, and the train could not be found, and saying that he was one of the passengers on the train, and the Northwestern people sent a train over the road with a fire squad from Bisbee, Ariz., with fire equipment, feeling that they might be able to rescue some of the people. I went in with the party, but when we got there the tunnel was full of smoke and rocks caving in, and timbers, and smoke coming out at both ends so you could not get within 150 yards, because the gas and smoke was so bad, and rocks falling, and we were handicapped and could not do anything whatever.

Senator SMITH. This man, you say, was lost in that wreck?

Capt. VEATER. Yes, sir; his body was taken out some two months afterwards.

Senator SMITH. Do you remember of seeing Col. Del Arce and Maj. Tagle?

Capt. VEATER. Yes, sir; Col. Del Arce was the colonel in charge of the military at Ciudad Juarez.

Senator SMITH. In charge of what military?

Capt. VEATER. The Carranza Government. Maj. Tagle was a major and chief of staff at the time in Ciudad Juarez, and they had been during the past 18 months, say up to about six months ago. I think Del Arce is still in charge, and a colonel or general in the northern division, and Maj. Tagle is here in El Paso. I understand he has resigned. I personally knew them both when they were operating and in charge of Ciudad Juarez.

Senator SMITH. Do you know what was done in regard to Norwood Hall's cattle?

Capt. VEATER. Norwood Hall notified me one evening that his ranch had been raided on the border up this side of Canutillo by some renegades in some form; he sent out a bunch of men. In all they had taken some 40 head of cattle and had crossed the border into the State of Chihuahua out there about 8 miles, and his men had trailed the cattle up to the line and ascertained beyond a doubt they had went on into Chihuahua, and he did not feel like going over the line, and he asked me if I could not make some effort to do something to get the cattle. It was then late in the evening; I told him it would be impossible to get any assistance that evening; I would take it up the first thing next morning and see what could be done. The next morning I went over to Ciudad Juarez and took the matter up with Maj. Tagle and Col. Del Arce and explained to them the cattle had crossed the line, being driven by a bunch of bandits, and told them I was prepared to trail the cattle if they would give me a little squad of men that would actually go; I was prepared to go after the cattle and all I wanted was a little squad of men to go with me. They told me it would be impossible to furnish me any men before 1 o'clock. I reminded them of the fact that the time from 10 to 1 o'clock was quite a bit of time to elapse on a trail of a bunch of cattle, but if that was the best they could do I would report at 1 o'clock and be prepared to take up the trail.

I reported at 1 o'clock, and I constantly kept after them to furnish me those men and equip them to make a run of 100 or 150 miles at least; about 4 o'clock they told me the men were ready; they turned me over nine men in charge of a young fellow by the name of Ramon Valdez, who was then kind of head of the rurales over there—that is the mounted force—and of those nine men there was one man grown and the other seven were boys from the age of 12 years old to 16 or 18. Their mounts were little, old ponies; some of them had colts and little, old, poor mules. The man in charge of the party did not even have a rifle; he had a little, old, two-bit six shooter. When we got ready to go I asked them where their provisions were and what arrangements they were making for a day or two trip. They said they were accustomed to going out into the hills just like they were; and I says then: "Are you equipped for this hike?" and he says, "Yes; we don't need anything where we are going for three or four days." He says: "We are good for three or four days; we live off the resources of the country." I said all right. We went immediately where Mr. Hall told me the cattle had crossed the line and picked up this trail; it was very

sandy there and distinct and plain. We followed these across to Flores Springs and were riding very fast; and it was just beginning to get dusk, and all the provisions they had was mescal; they had drank that up and were shooting at every grasshopper and rabbit that jumped out; it sounded like an army or something. I got a little out of patience firing so many shots, and when the trail was fresh I was not prepared to give any orders, and when we got to Flores Springs it had just got dark; and they watered their horses there and then wanted to return to Ciudad Juarez.

I tried to persuade them to stay there that night and pick up the trail the next morning. They said they would have to return and tell the major and colonel that the cattle was there all right. I said that it is consistent that we go on and get the men and cattle: that is what we went out for. They said they would have to return, and did return, and got back to Juarez about 2 o'clock. I went over the next morning and asked them if anything could be done. He told me about 2 o'clock two ranchers had come in from Mexico and told him the cattle were out there, and he had sent a bunch of men to get them and they were now getting them; along about 5 o'clock he notified me he had 19 head of those cattle. I had previously told him that Mr. Hall had offered \$10 reward a head for them. He notified me he had 20 head, and I notified Mr. Hall and he gave me a check to pay the reward, and I asked Mr. Valdez for a receipt when he turned the cattle over the line. He gave a receipt and turned over 19 head, and I asked him where the rest of the cattle were and what became of the men. He stated that he did not know, but that is the end of trailing up those bandits so far as I know.

Senator SMITH. How long since you were down in that country where these colonies were located?

Capt. VEATER. I have not been there since the expedition of Gen. Pershing; I visited the country on two or three occasions during the time he was there.

Senator SMITH. The last time you saw it it was ruined, I believe you stated, as far as homes, farms, and stock, etc., are concerned?

Capt. VEATER. Yes, sir; the town of Colonia Pacheco is burned. I have a picture of my home; all other places there look like it. All I have is a picture; I have it in my grip; I would not mind showing it to you, of my home; all the other places look like it. All of Colonia Dublan was also burned, all but just a few scattered places that did not happen to burn.

Senator SMITH. What was the object of burning the houses?

Capt. VEATER. I can not say; my house and all of those houses were burned about three days after Gen. Pershing's expedition passed through that colony.

Senator SMITH. What did that house cost you?

Capt. VEATER. That house cost me about \$5,000, the house and outbuildings.

Senator SMITH. They were all destroyed?

Capt. VEATER. Yes, sir.

Senator SMITH. And they were utterly destroyed by fire?

Capt. VEATER. Utterly destroyed by fire.

Senator SMITH. I believe that is all, unless there is something that you wish to say?

Capt. VEATER. I wish to explain one other thing that happened directly with a Carranza general, whose name is Manuel Gutierrez: he is now I understand still an official with the Carranza Government, and during the time I had my cattle in transit from up in the mountains; I held them for some time at Ciudad Juarez, trying to get them closer to protection; I only had a few of them left; I had a man in charge of the cattle who is now and worked for me about a year by the name of Gomez. Manuel Gutierrez went up there and rounded up those cattle and killed 11 of the best milk cows I had. After I made several efforts I got his receipt for them, trying to get some remuneration, inasmuch as the Carranza officers and a man in charge of the district gave his receipt in the name of the Carranza Government, absolutely, and can not get any returns from it, and there was no justification of his killing the cows in the beginning. There were a good many young steers in the bunch, the boys tried to induce him to take the steers and not kill the Durham cows. He said the cows were fat; he said he wanted to kill the cows. There was no necessity for killing the cows whatever; no necessity whatever, just pure meanness in him. The cows would cost me now \$200 apiece. Just as well kill a \$25 yearling or calf as to kill those valuable cows.

Senator SMITH. That was done by a Carranza official?

Capt. VEATER. That was done by Manuel Gutierrez in charge of Ciudad Juarez and is still a Carranza officer.

Senator SMITH. Did you ever have an opportunity to protest to any of the officials of the Carranza Government about it?

Capt. VEATER. I did, I took it up with Mr. Gonzales in charge of the customs men, and Col. Del Arce and asked them to assist me in getting remuneration for them or making some remuneration, and they absolutely done nothing about it. They just put me off, you can not go to the bottom of anything, you make requests and that is the last you ever hear of it.

Senator SMITH. Is there any signs of peace and order over there so you would feel justified in going back and reoccupying your property, if you could?

Capt. VEATER. No, sir; for this reason, even if the people in charge of the Mexican Government were in good faith, even if their intentions were good, the Mexican people in the state of revolution and every man practically connected with the Government troops or the bandits have been more or less engaged in looting, stealing and robbing, and they are unable and unqualified and unprepared, and it will be impossible for them to produce an organization to govern the conditions, even if they wanted to. Their equipment is of slow movement, you take conditions, even if they had the best desire they are unable to cooperate with their own soldiers.

Senator SMITH. I believe that is all, and we are much obliged.

(The committee then, at 12 o'clock, adjourned to meet at 2.30 o'clock p. m.)

#### TESTIMONY OF MR. W. A. SCHULTZ.

(The witness, being first duly sworn, testified as follows:)

Senator SMITH. Where do you live?

Mr. SCHULTZ. I live at 607 North Estrella Street, El Paso, Tex.

Senator SMITH. Are you a citizen of the United States?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. I believe you lost one of your sons in the service?

Mr. SCHULTZ. Yes, sir; I had four sons in the United States service, three that went across on the other side, they were on the battle front the morning of the armistice.

Senator SMITH. When did you first go to Mexico, if you have ever been there?

Mr. SCHULTZ. I went to Mexico in 1907, in September, 1907.

Senator SMITH. Had you had any connection with the Comanche Land Co.?

Mr. SCHULTZ. Yes, sir; I organized that company. I went down—in Mexico I had a friend that owns the Blalock Colony in the State of Tamaulipas, and also in the San Dieguito Colony in the State of San Luis Potosi, and I was in the country from September until Christmas, and during the time I found a piece of land that could be purchased in the Blalock Colony; in fact it adjoined the Blalock Colony land, and it was between the railroad and the Blalock Colony, and I came back and interested some of my friends in it and we went to Mexico in January, 1908, and we organized a company, incorporated under the laws of Mexico, and bought this tract of land.

Senator SMITH. From whom?

Mr. SCHULTZ. From one Don Mariano Guerra, and the land title was one of the oldest in that country.

Senator SMITH. That is what I am asking about.

Mr. SCHULTZ. The land had been patented to one of the Castillos, one of the ancestors of this man, in 1639, and my company got all of those original papers and the land was in the Guerra family until we bought out this one. Originally the grant consisted of 150,000 acres, but we bought about 11,000, a little better than 11,000, and on the property was a canal that had been constructed that would irrigate approximately 2,000 acres. This had been built before we bought the property, but it was sadly in need of repairs, and we improved the canal and went to clearing up the land that was under the canal subject to irrigation.

Approximately 2,000 acres under the canal, and we moved our families there in 1908, and we were there until just after the capture of Vera Cruz by American forces. When we went there we were permitted to take free all household goods and farming tools and farm animals, our cows, hogs, chickens, mules, and so on, and wagons, with duty free, and we were shown every courtesy and kindness and protection for the first two years that we were there.

Senator SMITH. You mean those courtesies were extended to you by the Mexican Government when you went down there?

Mr. SCHULTZ. Yes, sir; and by the Mexican authorities of the country down there.

Senator SMITH. Well, how long did you rest there in security and peace?

Mr. SCHULTZ. Well, after—during the revolution—the Madero revolution, there were a number of both Federal and revolutionary soldiers that passed through our place. Our property was located right at the cross of two main public roads; one called the Matamoros and Tula road that went on west from the Blalock Colony,



and the other was the Monterrey and Vera Cruz road that crossed there, and there was an immense amount of travel even in peaceable times. Now, both Federal and revolutionary soldiers travel that road, and during that time the Federal soldiers that passed there I am sure that we fed of them 500, and they paid us for everything that they got and treated us kindly and courteously, and the revolutionary soldiers were kind to us in those times; more than that, they would take most anything they would take a notion to take, and against our protest frequently, but would pay us for the things.

Senator SMITH. That was during the Madero revolution?

Mr. SCHULTZ. That was during the Madero revolution; yes, sir. Then later after Huerta—after Madero was assassinated and Huerta seized the reins of government, his soldiers also frequently passed through that way and they treated us with the same kindness and courtesy that we were being treated with by the former Diaz soldiers, but the Carranza soldiers, the first ones that began to come our way demanded our horses and our guns and anything they took a notion to, and during those times, I can not begin to tell you how many soldiers we fed, but, making a rough estimate of it, at least 1,500. The Carrancista soldiers during his revolution against Huerta, they would frequently come up, 150 or 200 of them at a time, and ride into our yard and feed their horses in the yard, and we would demand pay for what they used, and sometimes they would pay us about half of what it was worth and tell us that they were due the rest of it for the protection they were giving; they were due something for what they were doing for us. Well, during those times they killed our cows and took 3 or 4 head of horses from me, and from the colony I suppose some 15 or 20 head of horses, killed our hogs in the pen and caught the chickens in the yard and killed them and ate them.

Senator SMITH. How many were in your colony down there, Mr. Schultz?

Mr. SCHULTZ. About 90 at most.

Senator SMITH. That 90 was on the 11,000 acres you spoke of?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. When did you finally leave there?

Mr. SCHULTZ. We left there just after the capture of Vera Cruz. I have not got the date in mind.

Senator SMITH. Was that at the time our Government warned the Americans?

Mr. SCHULTZ. They had been warning us before that repeatedly, and quite a number of Americans had come out before we did.

Senator SMITH. But the final exodus?

Mr. SCHULTZ. That was the time when practically all left the country.

Senator SMITH. How came they to leave, on the advice of our Government?

Mr. SCHULTZ. In addition to that, they felt that their lives were unsafe in the country.

Senator SMITH. Why?

Mr. SCHULTZ. Well, they were coming into the homes there. Those revolutionists were taking anything out of the houses, and

one neighbor, a lady just across the street from us, was assaulted by a Mexican soldier—Mrs. W. T. Worley, she is now at McAllen, Tex.—and another soldier there interceded for her, and she got loose and fled over to our house. And then Mr. Pettus's house was invaded, and that was an every-day occurrence in the country.

Senator SMITH. That is what I mean.

Mr. SCHULTZ. And they would ride in my house; my house was adobe, built like many Mexican houses are in Mexico—around a court—and I ran a hotel there on the road, hundreds of Americans passing there going west and the better class of Mexicans frequently stopped with me and these soldiers thought it was a public place, I suppose, and just drove in there when they came. Another incident that occurred during this time just a while before we came out: There were about 90 Carrancista soldiers that came into our little village, and two of them rode down to my place and rode in and told me that the captain had sent them down there for corn and one of my sons and myself took hold of a sack of corn—a fanega we call it there, by which we measure and sell corn—and put it up on the saddle in front of him and the other one told us he wanted a sack of corn also. Well, we put him up a sack. He was drunk, or appeared to be. He started riding out and got to the gate and turned around and pulled his Winchester rifle out of the scabbard and threw it down on me and says “Diga Viva Carranza y Vasquez Gomez,” meaning to holler “Hurrah for Carranza and Vasquez Gomez,” and of course I did so, and when I did so, he said “Esta bueno,” all right and turned and rode out.

Senator SMITH. When they came to your place would they require any cooking of your wife or you?

Mr. SCHULTZ. What?

Senator SMITH. When they would come to your place would they require you or your wife to do the cooking for them at any time?

Mr. SCHULTZ. Yes sir; and my wife—the officers would eat at my table and during that time we fed quite a number of them that were notable or became such during the revolution. Obregon was one of them and a man named Luis Cabrera and Manuel Pelaez, he is now a bandit in that country, has been to our place, and a fellow by name of Guerra, I have forgotten his first name, and Mondragon.

Senator SMITH. Were they all supposed to be with the Carranza government at that time?

Mr. SCHULTZ. Yes, sir; all of those men were supposed to be back of Carranza at that time.

Senator SMITH. Do you know of a man by the name of Dawson that was robbed there?

Mr. SCHULTZ. No, sir; I don't know anything about him.

Senator SMITH. I was referring to a man that was robbed and killed down there.

Mr. SCHULTZ. Yes, sir; that occurred later than this. What I now tell all occurred before I brought my family out of the country. Then in 1916, on January 2, I returned to Mexico to look after my interests down there and during the time I was down there the Pershing expedition went into Mexico. Well, it was during that time this killing occurred. That was down at Columbus in the State of Tamaulipas. A man by the name of Sawyer, who had been a bache-

lor in that country, living a hermit's life, had accumulated some property and had come back to Oklahoma, I think, and had married and went back to Mexico there, and he was one that did not come out during the time we all came out. He remained down there. He had accumulated some property and had some Mexican laborers that worked for him and they found out he had money, and one Sunday morning they came to his house and demanded his money—so his wife tells me now—this is not of my personal knowledge; I saw his corpse later. Well he refused to give up the money and they shot him. They shot him in the stomach and she went to crying and begging that he give them the money that he had and he took the men out to a little outhouse and showed them where it was buried, and dug up a can, a 5-gallon oil can he had it in. He had about—if I remember correctly—\$600 in American money and something like \$1,500 or \$1,800 in Carrancista currency, which was practically valueless at that time, so they took this money and he started back to his house and fell between this house and the main house, and his wife—they had threatened to kill her also—fled over to a neighbor by the name of Jeffreys, who lived about 200 yards away, and when she got over there Jeffreys was out of the house, looking after something in the field, and the children sent for him and he and his son took their guns and went over.

When he got over there these men were gone and Sawyer was dead in the yard. They had also threatened, so Mrs. Sawyer said, to kill all of the Americans in the country, and the women, if I remember right, there were only two Americans—three American women living in that section at that time—and she went into Tampico. I got there on Wednesday—this was Sunday morning—and the Mexican authorities would not permit the Americans to bury his dead body.

Senator SMITH. What reason did they assign, if any?

Mr. SCHULTZ. They said they had to have an inquest, and so on.

Senator SMITH. Was anybody ever punished for this killing, that you know of?

Mr. SCHULTZ. No, sir.

Senator SMITH. No one arrested for the killing?

Mr. SCHULTZ. No, sir. Now, on Wednesday, the day we buried this man, I was shown some Mexicans trading at a Mexican store whom Mr. Jeffreys assured me were the very men that had killed this man, and I went into Tampico and went to see Gen. Nafarrate and told him about what had occurred, and told him if he would furnish three or four men to go with us, with three or four of us American men, that we would take these outlaws in. He said, "We don't need your help." He said, "We are going to clean out on you damn Americans any way"; those were his words.

Senator SMITH. Who was he supposed to represent, the Carrancista government?

Mr. SCHULTZ. Yes, sir; the Carrancista government. He was supposed to be the military governor of the State of Tamaulipas at that time, and his office was in a coach at Tampico, a railroad coach.

Senator SMITH. Instead of attempting then to arrest the murderers or aid you in trying to apprehend them, he made the response that you have just stated?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. Did you ever receive any personal indignities at the hands of the Carrancista soldiers?

Mr. SCHULTZ. Yes, sir; in the town of Xicotencatl, 12 miles east of me, between where I live and our railroad station; during this time I was going up to the Blalock Colony to assist some women and children out of the country. Conditions were then such that they looked like we would all be slaughtered, and Mexicans were just helping themselves to American property everywhere, and we were suffering, the people were, from indignities, and I was working to help get them out while I was in Xicotencatl, and passed by the jail—well, in Mexico they usually have soldiers' quarters with every jail. There was a bunch right alongside of the jail. Well, I suppose there were 25 or 30 Carrancista soldiers, or supposed to be, sitting on this bench. As I was walking by they began cursing the gringoes. When I got up right even with the first one they all arose and the first one spit on me, and the next one, and I passed right down the line, and, of course, I took it as a matter of course, and I spoke to them in as polite a manner as I knew how, and if there was one in the bunch that did not spit on me I did not see him. As I passed on a few steps small stones began to fall around me about the size of my thumb, and when I got further from the jail larger ones came, and when I got off about 40 yards they got as large as my fist and struck all around me, but fortunately none of them hit me.

Senator SMITH. Where were these stones coming from?

Mr. SCHULTZ. They were coming from this bunch of soldiers.

Senator SMITH. Being stoned by them?

Mr. SCHULTZ. Yes, sir. And when I cast my eyes back these fellows were off the sidewalk out in the street, and they were engaged in quite a gale of laughter, and one man in the crowd, that I took to be an officer, I would not be sure about that—

Senator SMITH. What offense had you given these soldiers?

Mr. SCHULTZ. None at all; none at all.

Senator SMITH. It started, as you tell us, without you doing anything more than you have related?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. Did you know a man named De la Rosa?

Mr. SCHULTZ. Yes, sir; I knew him during the years I was first in Mexico. I met him frequently. Then when I was back in the country again in 1916 I met him in Victoria, the capital of the State of Tamaulipas, and I was on the drill ground and saw him. He was present when soldiers were being drilled and there was no mistake about his being De la Rosa, for I had known him before, and then a young man, an American that was raised in Victoria, whose father had been consular agent—his name was Evaristo Storms—knew him well, and we worked together.

Senator SMITH. Now what was he doing; what soldiers was he drilling?

Mr. SCHULTZ. He was drilling soldiers, I was told by a Mexican soldier, that they were drilling soldiers to invade the United States—Texas.

Senator SMITH. That was then after a good many raids had been made on the United States border?

Mr. SCHULTZ. Yes, sir; a good many raids had been made the year before across the border.

Senator SMITH. Do you know anything about what was called the "Plan of San Diego"?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. And whether De la Rosa knew anything about it?

Mr. SCHULTZ. He was connected with it; he was connected with that plan.

Senator SMITH. Who was he supposed to be acting under at the time he was drilling these soldiers?

Mr. SCHULTZ. He was supposed to be acting under Nafarrate, and Nafarrate was Carranza's military governor of the State of Tamaulipas.

Senator SMITH. You saw him drilling these soldiers?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. Did you ever have a conference with Mr. Nafarrate about the killing of this man you spoke about?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. You have already detailed what occurred and what he replied to you?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. As I understand you, Mr. Schultz, your conditions down there up to the revolution, or during the Diaz administration of Mexican affairs, that all these colonies, yours included, of which you had any knowledge, were living in security and peace?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. Prosperous, most of them, I presume?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. What is the condition of all of those colonies so far as you know them now?

Mr. SCHULTZ. They are in devastation and ruin.

Senator SMITH. All of them?

Mr. SCHULTZ. All of them.

Senator SMITH. What has become of the people and their property?

Mr. SCHULTZ. They—the people that were interested with me—are nearly all in the United States. I can give you the address of some of them I know. W. B. Washburn lives at Lynndale, Tex., and William Lawler is at Blair, Okla., and the family of T. W. Worley is at McAllen, Tex., he is at work for an oil company at Tampico, and some of them I don't know what their present address is.

There are part of the parties that are dead. Let's see: Mr. and Mrs. Curry, J. H. Curry, they are at Blair, Okla., also, and their son-in-law, Barksdale, I have forgotten his first name, I think is at Blair, Okla., also.

Senator SMITH. As to the other colonists as far as you know?

Mr. SCHULTZ. Now in the Blalock colony—I was well acquainted with the people of the Blalock colony.

Senator SMITH. I know all about the Blalock colony. I was going to ask now about the Blalock colony before any trouble occurred.

Mr. SCHULTZ. Yes, sir.

Senator SMITH. You have known the condition of it since the trouble occurred?

Mr. SCHULTZ. Knew the condition of it in 1916 when I was back there.

Senator SMITH. What was it then?

Mr. SCHULTZ. The condition was bad at that time. Now, after the exodus of the Americans from the country, then when they went back many of them found their homes in ruin. My home was burned when I went back; it was in ashes; and a number of other homes were burned and stock stolen and practically nothing left. Those that did go back went back because we were assured both by the United States Government and by the Mexican Government that conditions were safe back there; that is what took them back, and what they had over there.

Try to get this picture in mind; people in that country had their homes and stock and that marvelous fertile land, raising everything they needed to eat and had everything in the world they desired; now to get a few days' notice to leave the country and to get together what they could get in a hand grip, notwithstanding the United States Government could not give them transportation out of the country. A number of people who were rich as kings over there to-day are paupers over here, and to-day are scratching out and eking out an existence.

Now, when conditions got so bad in 1916, and prowling bandits, prowling day and night, and Mexicans being killed, not only Americans, but Mexican people being killed and robbed, I went to Mr. Dawson, the American consul at Tampico, Clarence Dawson, and laid the situation before him and told him these people would have to have assistance to get out, and he said, "Are not these the same people that the United States sent out of here a few years ago," and I said "Yes," and he he said, "What business have they back here," and I said, "Everything they got is here," and it took me and others repeatedly to prevail on him to give these people any assistance whatever to get out.

Senator SMITH. That was who?

Mr. SCHULTZ. The American representative down there.

Senator SMITH. The second exodus had gone back in the meantime?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. This was the second coming out; you had trouble getting transportation to get out?

Mr. SCHULTZ. Yes, sir; and they were unable to get out without it. These people that had plenty down there, they went back to their places, had to put up little shacks they could live in until they could do better, and had planted crops, and cultivated crops, and had a little ahead to live, now came a second warning to get out of the country, and leave everything they had, and nothing to do on, which was a wretched condition of affairs, and some of these people, thinking that they could manage to get by, went to the hills and stayed awhile.

Senator SMITH. Hiding out?

Mr. SCHULTZ. Yes, sir.

Senator SMITH. And watching their property the best they could?

Mr. SCHULTZ. The best they could.

Senator SMITH. Well, did you see any signs of returning peace in that particular country?

Mr. SCHULTZ. No, sir; none at all. Now, I look at it, while there are thousands of good Mexican people, and we were kindly treated by the people in the country—

Senator SMITH. Ordinary people?

Mr. SCHULTZ. Ordinary people of the country, but those that want stable government and peaceable conditions are powerless to achieve them, to obtain them in and of themselves. Now, one little point—Cesar Lopez de Lara, who was Carranza's commander in our section of the country, all the time before Carranza obtained the Presidency, and even afterward—he was the one that systematically robbed the Americans, foreigners, and all, he seemed to be no respecter of persons in that respect.

Senator SMITH. Robbery seemed to be his purpose.

Mr. SCHULTZ. Robbery seemed to be his purpose, and then after that he became president of the Federal district, I am told, of Mexico City.

Senator SMITH. Do you know anything about El Conejo?

Mr. SCHULTZ. Yes, sir; I know about that ranch; that was over between where I live and the railroad. I would have to go by it. Mr. Hanson was the manager of it.

Senator SMITH. Capt. Hanson of the Texas Rangers?

Mr. SCHULTZ. He used to be, I think. I think that was the office he held. And then Mr. Merriman was manager after him. I am well acquainted with both of those gentlemen.

Senator SMITH. How about the orange grove they had there?

Mr. SCHULTZ. They had a beautiful orange grove of many hundreds of acres. I don't know how much. I have been over it, too. It is a big property, had irrigation canals and had hundreds of horses and mules and wagons on the place and employed hundreds of laborers. That was the condition when I was first in the country, and everything was prosperous. When I was back there the last time most of the orange trees had been destroyed; they had been pastured by the Mexican soldiers; the canal had been destroyed.

Senator SMITH. Fences destroyed?

Mr. SCHULTZ. Fences destroyed.

Senator SMITH. Were many of the orange trees destroyed by fire burning the grass?

Mr. SCHULTZ. Yes, sir; I noticed some grass had grown up between the trees and had been set on fire.

Senator SMITH. Now, that orange grove of which you speak, what sort of stock and farming implements of that character did the Americans take down there?

Mr. SCHULTZ. My colony?

Senator SMITH. Yes; and the one of which you spoke that Mr. Hanson was in charge of.

Mr. SCHULTZ. Mr. Hanson's people were better able financially to take in supplies that we were. It took about what means we had to buy our property. Why, they took down there good mules—I suppose 200 mules—I don't know the number—quite a number of good milk cows and hogs.

Senator SMITH. As to farming implements?

Mr. SCHULTZ. They took a number of wagons and cultivators, and then they took milling machinery for the making of sugar. We also took in a small outfit to make sugar, and when I was back there the last time I was over the ranch with Mr. Merriman and there were but very few orange trees living, and the banana orchard had been entirely destroyed, and most of the wagons Mr. Merriman told me had been carried away, and I only saw one wagon on the ranch the last time I was there in 1916, and I saw five or six carts, and Mr. Merriman informed me he had a Mexican carpenter there to make carts, as those soldiers would not carry off carts as they would wagons, and we did the same thing in 1916 when I was back there, and I employed Mexican carpenters to make carts and worked oxen to them because we could not keep horses or mules on the ranch.

### TESTIMONY OF MR. R. H. ECK.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator SMITH. Mr. Eck, are you a citizen of the United States?

Mr. ECK. I am.

Senator SMITH. What State were you born in?

Mr. ECK. Pennsylvania.

Senator SMITH. What is your business.

Mr. ECK. Contractor.

Senator SMITH. Railroad, do you mean?

Mr. ECK. I am a general contractor now. I have been a railroad contractor.

Senator SMITH. Have you had any experience as a railroad contractor in Mexico?

Mr. ECK. Yes, sir.

Senator SMITH. When?

Mr. ECK. In 1905, practically through to 1915. I am still a would-be contractor in Mexico; my contracts are there, but I am not.

Senator SMITH. Why is it you are not contracting in Mexico?

Mr. ECK. I have a contract with the Mexico Northwestern, but, owing to conditions, I am a resident of the United States now.

Senator SMITH. Do you know anything about that Cumbre disaster in 1914—February, I believe?

Mr. ECK. I do.

Senator SMITH. Please detail it.

Mr. ECK. The Cumbre disaster—Castillo, with 62 men, arrived at the base of the tunnel—the south end of the Cumbre tunnel—at about 10 o'clock in the morning—I forget the date; however, as a sort of revenge, he stated to those from whom I got the testimony. Gilmartin, superintendent of the road, had, according to his statement, promised him 8,000 pesos. He was not there to give it to him—could not get there to give it to him. Gilmartin and I were going there on a motor car. Gilmartin, the night before he left El Paso, stated to me he was going to give Castillo something to let the bridges alone. It so happened they completed the bridges, and that night the train got in and they started the passenger train the next morning.



I was packed and ready to go on the car; they came on ahead of me; I missed the Cumbre disaster two or three days afterwards when they found out about it, in charge of a rescue train. They had learned that the train and all of its occupants had been burned in the tunnel and all lost. Arriving there I learned the facts from about the only witness—real witness that was not interested in it—that this cattle train was backed in from the south end, and run back into the center of the tunnel. Both ends of the tunnel are masonry for about—in the north end—about 400 feet, and 200 feet the other end. Through some failure or other, or the intention of the engineer, they could not get that far enough to get to the timbers, and Castillo set it on fire. The timber is about 250 feet from the south end of the tunnel. The south end is masonry and the cars in there burned up and did no damage to it.

This passenger train, of which Castillo had no knowledge, came on, and about dusk reached the north end of the tunnel, and from the testimony of Able, a man whom I employed, and who was on that train, got off to go up to his home; he says he saw no smoke coming through the tunnel, and they entered the tunnel without there being any watchman there. However, when we arrived there we found that this train had run into this débris and fire, and presumably the material in front of them had set fire to the train. Evidently the wind had changed in current, and threw the smoke and gas the other way, and the whole 50 people were burned. When I arrived there with the fire apparatus it was impossible to get in there. We tried it for several days. The general superintendent then put me in charge of the work there, and I had four Americans.

We tried to get in there with tanks to put the fire out, and at last when we thought we could make the entry we four Americans got in there. When in about 3,200 feet we discovered the first body. In the center of that tunnel there is a rock space about 400 feet, without any masonry or timber. We found that some 20 people had grouped there—women and children—and we found the body of the road master; and the heat at that time was very intense. Finally we went in there and got those bodies; those bodies were laying there just cooked. Some of them were recognized. We got some of the Americans, and some we did not. Then our troops went in at Vera Cruz, and I was ordered out, and I came out on the rescue train.

Senator SMITH. What was the original cause of that disaster?

Mr. ECK. It was caused by desire of Castillo to get revenge on Gil-martin for not coming up with this amount of money.

Senator SMITH. That money was supposed to be given him for protection if he would protect the road?

Mr. ECK. If he would desist from burning the bridges. It had become necessary for the Northwestern and other companies there to pay out money to these bandits every once in awhile, to keep them from reburning the bridges, so they could run their trains.

Senator SMITH. That got to be a very common practice?

Mr. ECK. Yes, sir; I rebuilt bridges for a year. I would hardly get them built before they were burned again, and then they were rebuilt.

Senator SMITH. What was done at the mouth of this tunnel that caused this disaster?

Mr. ECK. The train was burned, you know; freight train, cattle train.

Senator SMITH. Burned in there?

Mr. ECK. Yes, sir.

Senator SMITH. Set afire?

Mr. ECK. Yes, sir; set afire, and the passenger train ran into it.

Senator SMITH. What ever became of this man Castillo?

Mr. ECK. Why, he was brought over here and kept in custody at Fort Bliss for awhile and then released, I believe, by the immigration authorities.

Senator SMITH. Where is he now, do you know?

Mr. ECK. I don't know; but I understand from some of his friends, somewhere in New Mexico.

Senator SMITH. At this time?

Mr. ECK. At this time. I don't know that to be a fact.

Senator SMITH. Do you know anything about the execution of that 16—of this car of young men, including Bishop?

Mr. ECK. You mean the three, including my son?

Senator SMITH. Yes; how old was he?

Mr. ECK. Seventeen years of age.

Senator SMITH. Tell briefly how that occurred, and what was the cause of it.

Mr. ECK. Now, my son has been on a pleasure trip down in Galena Valley, in September, and broke the car in passing through a stream. He came back to El Paso and reported to me that everything was clear down there, or apparently was. He had not had any trouble, and he asked me to take the little gears back, and put them in. I agreed he should do that if they would furnish him an American guide down there that could speak Spanish, as it was a trip about 75 or 100 miles horseback. They furnished him with a guide, a man named Bishop, a negro cook, and a Mexican mozo, named Cadena.

They started from Casas Grandes on the morning of the 19th, and camped at an oil point over beyond about 15 or 20 miles, right near the Chocolate Pass.

They left there on the morning of the 20th of October, and had gone about 3 miles, and met a gang in command of a man named Petrosino. It was a gang of ranchers and farmers, and two of the men had been in my employ for years, as I learned afterwards. They had then just been assaulting Chinamen, stealing cattle, and selling their hides, etc., and on this occasion they took them they notified them they were going to take up and execute them. My son seemed to have understood that from the statement of this Mozo, but Bishop told him no, he had been captured by them several times, and that they were not going to do anything, only just going to hold them for a ransom. They took them down to the end of the San Joaquin Valley, and passed up the canyon about 9 miles, and lined them up to execute them; at that time Bishop got scared and called Petrosino's attention to the fact that they must not do that; that my son had friends over in the railroad office over at Casas Grandes that would pay a ransom of \$2,500 gold, and they talked the matter over, and they lined the Mexican up to shoot him, but the men would not.

The gang refused to shoot the Mexican; they said, "We are not paid to kill Mexicans." But when Bishop made this statement the

answer from Petrosino was a bullet through the heart, and Karl attempted to get away and ran to the other side of the canyon to get on his horse, and they raced them with horses, and the evidence shown by his face, when I found him, he had been dragged perhaps a distance of 175 feet; his neck was broken, and the skin torn off the side of his head, and the negro had been handled in the same manner. They had not been shot; they evidently had been killed before they got them back there. He was stripped of all of his clothing and left there, and I found them afterwards on the 3d day of December.

Senator SMITH. Did you ever know what became of the parties that killed your son?

Mr. Eck. Yes, sir; I knew what became of part of them.

Senator SMITH. Were they ever arrested and held to account for it?

(The committee recessed until Wednesday morning, February 4, 1920, at 10.30 o'clock a. m.)

# INVESTIGATION OF MEXICAN AFFAIRS.

WEDNESDAY, FEBRUARY 4, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,  
*El Paso, Tex.*

The subcommittee met, pursuant to the call of the chairman, at 10.30 o'clock a. m., in the county courthouse, El Paso, Tex., Senator Marcus A. Smith presiding.

Present: Senator Smith and Dan M. Jackson, Esq., clerk of the subcommittee.

## TESTIMONY OF MRS. JAMES CARNEY.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator SMITH. What is your name?

Mrs. CARNEY. Mrs. James Carney.

Senator SMITH. Were you in the Republic of Mexico in the last few years?

Mrs. CARNEY. Yes, sir; I was in Mexico City altogether about 10 years; my husband was a contractor there.

Senator SMITH. Contractor in the City of Mexico?

Mrs. CARNEY. Yes, sir; he had stone quarries and paved streets; had contracts for paving streets and building material.

Senator SMITH. He got along very well and prosperous?

Mrs. CARNEY. Well, he made a fortune and lost it in about eight years in bank failures and mines; we lost \$4,000 in mines in the State of Michoacan.

Senator SMITH. What became of your husband, Mrs. Carney?

Mrs. CARNEY. We came out and then went back in and he went over to Durango, went to a lumber company, superintendent of construction; the battle came on, then they were all ordered out, to get out of Durango to Mazatlan; they all walked overland, a hundred of them; they were divided in three groups. I was in Chihuahua at the time. They said they were overtaken by bandits and murdered. I did not get the true facts, and then they told me after he was taken off of the train—they told me he was mentally unbalanced from troubles, and from then on I have not heard a thing.

Senator SMITH. Your husband was where?

Mrs. CARNEY. In Durango.

Senator SMITH. When was that?

Mrs. CARNEY. That was in 1915, 1914-1915; I don't remember the date; it was in March. I got a letter from him about the 17th of March from Durango.

Senator SMITH. Maybe I can get the date if you can tell me who was President or claimed to be President at that time?

Mrs. CARNEY. Villa had taken Chihuahua and he was over in Durango fighting; I can not remember; I guess there was no President at that time—I mean proclaimed—I have had so many difficulties up and down I have forgotten.

Senator SMITH. What was your husband doing in Durango at the time you speak of?

Mrs. CARNEY. He went over there to be superintendent of construction of a lumber company, there in the city of Durango. They reached Durango all right, but had not gone to work. Then they had a battle and the Americans were all ordered out and there was no railroad, so they went on their way to Mazatlan.

Senator SMITH. How many Americans were there, do you know?

Mrs. CARNEY. I did not know the population. A number I know went out on the boat from Mazatlan to San Francisco. Of course, they were all robbed of everything they had. One young man was an Elk, and he telegraphed to his home, down in Virginia, and they sent him money, and he was the only one that escaped from that crowd. He is in Cuba at the present time.

Senator SMITH. How did your husband leave there; on foot, horse-back, train, or how?

Mrs. CARNEY. On foot; they all went overland.

Senator SMITH. You don't know how many?

Mrs. CARNEY. No, sir.

Senator SMITH. Overland to where?

Mrs. CARNEY. Mazatlan.

Senator SMITH. How far was that?

Mrs. CARNEY. I think, 150 kilometers; I am not positive.

Senator SMITH. Did your husband get to Mazatlan?

Mrs. CARNEY. I don't think so; they say not.

Senator SMITH. Have you ever heard of him since?

Mrs. CARNEY. Not since I went to—I had transportation from that man in Juarez; what is his name; I have forgotten him.

Senator SMITH. Edwards?

Mrs. CARNEY. He was consul over at Juarez, and he gave me a note to the consul over at Douglas, but he was over at Nogales, and I did not get to see him; he referred me to Washington. I went to the west coast and could not hear anything. I came out through Chihuahua first, because the consul agent told me I had better come out and leave my name, and if anything happened he would inform me. I never did hear from my husband any more.

Senator SMITH. Then, so far as you know, after leaving Durango, he never got to Mazatlan at all?

Mrs. CARNEY. No; some of the others got out. They went in different groups, you know; went in different ways to Mazatlan. Some arrived all right and took the boat to San Francisco.

Senator SMITH. You say they left there because—why?

Mrs. CARNEY. They were ordered out, and the bandits had told them they would kill them if they did not leave, and there was no train out of there, and they all had to walk.

Senator SMITH. You say they were driven out by bandits. What bandits were they?

Mrs. CARNEY. Villistas. I went to the American consul in Chihuahua—I was there at the Hotel Robinson—and he told me there was no communication with Durango for 17 days, and my husband told me he was leaving Torreon on a hand car; the railroad was all cut out, and they were going on to Durango, and then the battle came on, and they went on west, and I never heard anything more.

Senator SMITH. Your husband, as long as he was living, was making yourself and him a good living and furnished you all you needed?

Mrs. CARNEY. Yes, sir.

Senator SMITH. What are you compelled to do now—what are you doing?

Mrs. CARNEY. I am working for the Western Union.

Senator SMITH. In what capacity?

Mrs. CARNEY. I collect and deliver messages for the Western Union.

Senator SMITH. You are compelled to do this for a living?

Mrs. CARNEY. Yes, sir; my money all ran out, and I could not get any more out of it, and I did not have any profession, anything like that, he always supported me.

#### TESTIMONY OF MR. CHRISTOPHER SEGGERSON.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator SMITH. What is your name?

Mr. SEGGERSON. Christopher Seggerson.

Senator SMITH. Are you a citizen of the United States?

Mr. SEGGERSON. Yes, sir.

Senator SMITH. Where were you born?

Mr. SEGGERSON. I was born in Chillicothe, Ohio.

Senator SMITH. Have you ever been in Mexico any?

Mr. SEGGERSON. Oh, yes; been a good deal in Mexico.

Senator SMITH. Where?

Mr. SEGGERSON. Oh, different places; I followed railroad work. I have been all over the country, in different places.

Senator SMITH. Did you have a son in Mexico in the last few years living there, working there?

Mr. SEGGERSON. Yes, sir.

Senator SMITH. Where was he?

Mr. SEGGERSON. Down in Chihuahua and different places about. He followed railroad work just the same as I did.

Senator SMITH. What became of him?

Mr. SEGGERSON. Why, he got killed over here at Juarez.

Senator SMITH. Over across the river here?

Mr. SEGGERSON. Yes, sir.

Senator SMITH. How?

Mr. SEGGERSON. Villa's men, the revolutionists there, shot him.

Senator SMITH. Was he shot by these men intentionally, or was he shot in a battle that was raging?

Mr. SEGGERSON. No; he was shot in a battle, I guess, when the Villa bandits were taking Juarez, and he was shot in that battle; I suppose you would call it a battle; I don't know what else you would call it.

Senator SMITH. Anyhow he was killed there?

Mr. SEGGERSON. Yes, sir.

Senator SMITH. You don't know by whom?

Mr. SEGGERSON. No; all I know was Mr. Villa's bandits when they went to take Juarez they killed him.

Senator SMITH. That was at the time of the Villa assault on Juarez?

Mr. SEGGERSON. Yes, sir; that was the time.

Senator SMITH. What was he doing there; was he driving?

Mr. SEGGERSON. Yes, sir; he was driving an automobile; it seems like somebody had telephoned him from this side of the river to come over there and get some passengers to come on back, you know, and he went over there and they shot him just as he was coming back.

Senator SMITH. Do you know how he was killed, with what sort of guns?

Mr. SEGGERSON. No, sir.

Senator SMITH. Were they using machine guns?

Mr. SEGGERSON. No; it was not machine guns; no.

Senator SMITH. Which battle of Juarez was he killed at?

Mr. SEGGERSON. Why, the first one, when Villa took Juarez; I guess that was the first one.

Senator SMITH. What year was it, do you remember?

Mr. SEGGERSON. 1913, I think; I believe it was in November.

Senator SMITH. What is your son's name?

Mr. SEGGERSON. Charles Christopher Saggerson, that was his full name; we always called him Charles Seggerson.

#### TESTIMONY OF MR. E. W. NEVILL.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator SMITH. Where were you born?

Mr. NEVILL. I was born in Texas—Galveston.

Senator SMITH. You are still a citizen of the United States?

Mr. NEVILL. Yes, sir.

Senator SMITH. Where do you live?

Mr. NEVILL. I live now at Marfa.

Senator SMITH. Do you remember a raid on our side where your boy was hurt—killed?

Mr. NEVILL. Yes, sir.

Senator SMITH. Will you tell the committee, if you please, what occurred there at that time; how your boy was killed, who did it, if you know?

Mr. NEVILL. Well, Mr. John Wyatt and I, we owned a ranch in there, about 35 miles south of Van Horn, on the river, bordering right along the Rio Grande; I was in charge of the outfit and had my son there; he was helping also, and a Mexican family—man and wife and three children—were with me.

Senator SMITH. What sort of business were you carrying on there?

Mr. NEVILL. Stock raising—raising cattle. So on the 25th of March, 1918, I was uptown—had been three or four days—and there was a patrol of soldiers out there on what I call the upper ranch.

Senator SMITH. What town was this you refer to?

Mr. NEVILL. Van Horn. That was my post office at that time. I got to talk to them that morning. They told me that they had understood there was a bunch of Mexicans in the country somewhere; that they had heard that they were going to raid somebody. They were 9 miles above where we were camped. I was separating calves from cows at that time, feeding them, and trying to get some weans; that was the only place we had where I could fence off in that place. I had gone uptown to pay bills, as I did about once a month. I went uptown to pay all the bills. When I talked to these soldiers they told me there was a bunch of Mexicans in there, and they were going to raid. I told them, then, to come on; that they had better come on down to the ranch; that I would be there that evening late; I told them it would be late before I could get there; I still had a little business to do that morning before I could leave. I went up horseback that morning; it takes quite a little bit to ride that distance. They said they would. I never thought anything more about it. I left town, as near as I can remember, about 10.30, and I rode on down.

Senator SMITH. In the morning?

Mr. NEVILL. Ten-thirty in the morning. I gets to the ranch just before sundown, or just about sundown, then this Mexican woman who was staying on the ranch, she had supper ready. I unsaddled my horse, put him in a little pasture, where I had a number of other horses that were fed, went on in the house and we ate supper. After we had finished, my son and I, Glenn, went into our room and sat down. I asked him if he had seen anything of any Mexicans, and he said he had not. I then asked him what the report was that the patrol of soldiers had, he said he did not know, that they reported a bunch of bandits, or bunch of Mexicans, he said they were going up or down the river, he or they did not know which. So we sat there possibly 15 minutes, and we heard the tramp of feet outside, and I supposed that it was this patrol that was coming down from the upper ranch. However, I got up and went out in the hall and looked through the screen, I saw that it was Mexicans, and they all came in; came in with the exception of five; came in and got behind the hen house; all ran right in there and immediately came out; as soon as they came out went to shooting at the house.

Senator SMITH. Without any words at all.

Mr. NEVILL. Yes, sir; without saying a word; just began to shoot right into the house.

Senator SMITH. How many of them were there?

Mr. NEVILL. The best I could get, I stood there and looked at them, I guess they shot three or four shots apiece, trying to make an estimate of what they were, and there was something like 50 of them.

Senator SMITH. Sixty?

Mr. NEVILL. Fifty. About 50 in all. So then I walked across the room, and I walked across to this hall and saw five more standing over there on the other side of the house with guns in their hands this way, waiting, I suppose, for us to come out there; the others were shooting over here this way. They were waiting for us to come out this door so they could kill us; so instead of going out I just walked back to this partition door that is into our room,



picked up my Winchester, my boy picked up his, while I was picking up my Winchester there was two shots fired at me standing in that door. They came through, neither one hitting me. I walked back to this door, and three of those Mexicans had slipped in behind the end of the house. When I went in, they shot in; they were shooting in through this wall. When I went in there there was one on each side; so they had lined up near the corner of the house. They were both aiming to shoot. Well, they emptied their guns; one of them, I think one shot twice, and the other one he emptied his gun and never did touch me at all. He was trying to shoot me in the head. I was standing there looking at them; when he was going to pull the trigger I just ducked out of the way and missed it; when he emptied his gun I had mine in my hand all the time; while he was reloading I went to shooting at them.

Senator SMITH. Did you kill any of them?

Mr. NEVILL. I think I did.

Senator SMITH. Did your boy lose his life there?

Mr. NEVILL. Yes, sir; when I went to shooting at those Mexicans I only got the two shots, when both of them, one right after the other, jumped in the air as high as they could and fell right over behind the house. Each time I shot they jumped as high as they could and fell over. So I went outside and kind of looked around the corner as well as I could to see if there was any of them in sight; they were not, so I called to my son to come on. There was a ditch down there, I guess 250 or 300 yards. I was trying to get to that ditch; we could not stay in the house, because those bullets came in through the walls just like paper, and I was trying to get to that ditch. As I started off I glanced around this way and saw my son turn to the right; he did exactly what I wanted him to do; I went straight off; I never thought but what I was going to be killed, but by him turning to the right I knew I was drawing all the fire, giving him an opportunity to get away; I had not gone far until they saw me; they all began shooting; they shot my hat off, and shot my rifle out of my hand three times; the last time I left it laying there; I got down in this ditch and stopped and looked back; I could not see my son; then crawled back and got plumb back on top of the hill. I was at the ditch on top of the hill, and looked back up that way; I did not see him; I supposed he got away and ran down in the hills, so I got in the ditch and ran down to this open place; did not see him; then I did not hardly know what to do. I thought possibly he had gone off through the country and gotten in some bushes, and ran around the other way, so I ran straight across this level place; when I got over there I hunted around there and could not find him, so I supposed then he had hid himself, and as soon as everything was over he would come out, and we would get together. I did the same thing. I hid, and after they ransacked the house, there were three of them took my trail, they followed me up and they prowled around there, I don't know how long it was, something like a couple of hours.

I saw one of them once; I heard them three different times coming back. They trailed me so far; then could not trail me any further because I mussed up my trail before I hid; I went so many different directions, and crossed back so many times they did not know where I had gone, but I could see them and hear them three

different times. I could not get out of there to go back to the house until 3.30, when G Troop of the 8th Cavalry came up.

Senator SMITH. Three thirty that night?

Mr. NEVILL. Yes, sir; the next morning.

Senator SMITH. Three thirty in the morning?

Mr. NEVILL. Yes, sir.

Senator SMITH. Then the United States troops came up?

Mr. NEVILL. Yes, sir.

Senator SMITH. How about your son?

Mr. NEVILL. When I got back at 3.30 I found that he had been shot all to pieces, several times; there was a hole in his forehead; you could drop a hen egg through this hole in his forehead; in fact, like it had been shot out. He had been beat with rifles and a stick, and he was black and blue all over; that is, all over his face and head.

Senator SMITH. How far did you find his body from the house?

Mr. NEVILL. His body was right within four feet of the house and about twelve feet from the door.

Senator SMITH. So they killed him as soon as he came out?

Mr. NEVILL. Yes, sir.

Senator SMITH. Had you had any difficulty with these men, or know anything to cause them to come and shoot your place up in that way?

Mr. NEVILL. Never. Never had had a bit of trouble in the world.

Senator SMITH. Now, what was the condition of your house when you got back to it?

Mr. NEVILL. Well, everything in it was torn upside down, scattered all over the country, and everything gone; nothing was there except some empty boxes, empty trunks, some old bedsteads; everything else was carried away.

Senator SMITH. What became of the Mexican woman that was there at the time?

Mr. NEVILL. She was dead in the kitchen.

Senator SMITH. Had been shot?

Mr. NEVILL. Had been shot three times.

Senator SMITH. What became of the babies; did you see them after you returned?

Mr. NEVILL. Yes, sir; the three children were there in the kitchen; they were all alive. They had not been hurt.

Senator SMITH. The mother was killed?

Mr. NEVILL. The mother was killed; yes, sir.

Senator SMITH. What happened there then? Who were they? Who were they representing; do you know?

Mr. NEVILL. The band was made up of a bunch of these people that hang out along this border. They were not Carrancistas, they were not Villistas, they were not anything; whoever is in charge, whoever is in charge on the border at that time they are with. However, at this time they were Carrancistas.

Senator SMITH. Whoever had control of the border at that time?

Mr. NEVILL. They belonged to that bunch.

Senator SMITH. They belonged to the faith of whoever was in charge of the border?

Mr. NEVILL. Yes, sir. Just a few days before this happened, something like a week, I suppose, I was talking to five of them across the

river, and they told me that they were Carrancistas at the time I asked them.

Senator SMITH. What date was this?

Mr. NEVILL. That I had the conversation?

Senator SMITH. What date was the killing at your place, shooting of your house?

Mr. NEVILL. The night of the 25th of March, 1918.

Senator SMITH. What became of this band?

Mr. NEVILL. As soon as they got through they went back across the river and tried to evade the soldiers by going over around the mountains, through the roughest trails they could find, but Col. Langhorne put two troops in there, and we got four or five, I think five cow men to go with them to do the trailing, and they trailed them up all over, and had a fight with them at Pilares, and several of them, I think, were killed.

Senator SMITH. Did Col. Langhorne at that time cross the border and follow the trail?

Mr. NEVILL. His troops did.

Senator SMITH. I mean his troops?

Mr. NEVILL. Yes, sir; went across the river right there at the house.

Senator SMITH. And they were trailed across the river?

Mr. NEVILL. Yes, sir.

Senator SMITH. How far did they go, do you know?

Mr. NEVILL. They must have gone something like 40 miles.

Senator SMITH. You don't know whether they overtook them or not, personally, you were not with them?

Mr. NEVILL. No, sir.

Senator SMITH. Had you had any previous assaults on your house at any time before that?

Mr. NEVILL. Not on the house before that, it was, I think, about the 12th of—I would not be sure, positive about the date, but I think the 12th of November, 1917, why there was a bunch of Carrancista soldiers came down the river from Juarez going to Ojinaga, and the next morning—they camped that night right back of my house, I could see the camp fires—

Senator SMITH. On which side of the river?

Mr. NEVILL. They were on the Mexican side, and I got on my horse after night and went over there and sort of took a bird's-eye view of the outfit; there was a lieutenant there and three soldiers that came down there out of G Troop; I came back and told him about it and sent him over on the hill; he wanted to go himself; I went with him up on the hill in order that he could see the camp fire; the next morning we got on our horses, standing under the hill about 3 or 4 miles below the ranch, and they saw us, and this man—I don't remember his name, I was trying to think of that this morning—he was in command: he stopped his troops and called one of his officers to him and told him to take 50 men and go over there and get those gringos, so I told the lieutenant what they were going to do; he thought not, it was not long until he changed his mind; he saw they were coming across; I let them come all right up within 75 yards of us; they had a machine gun thrown on us, we were on a hill; I let these fellows come up to within 75 yards of us before I said anything, and when they got close enough I just threw up my hand and told them not to come any closer, and we talked to them awhile.

We had hot words; they tried to make us come to them; we would not go—would not let anybody come to us and would not let anybody go to them. There was but six of us, so, finally I told them—I asked them what they wanted and who they were. They said they they were Carrancistas. I told them, "Why don't you stay on your own side of the river; what was they doing on the American side?" He said they were after us. I said, "What do you want with us?" He says, "You come down here." I says, "I won't do it." Finally he pretended he thought we were Villistas; he asked me if we were Villistas. I told him that we were American citizens, my son and I, and these soldiers were recognized as being United States soldiers; therefore we could not be Villistas.

Senator SMITH. How many in your party?

Mr. NEVILL. There were six of us.

Senator SMITH. How many in the Mexican party?

Mr. NEVILL. There were about 50 of them; there were 30-odd came up to where I was. I did know exactly; I have forgotten. I let them come within 75 yards of us; the others stopped back a little bit farther, and there was about 15 or 18 stopped back a little bit farther. However, when they went back they drove off seven head of our cows that evening, and me hollering at them all the time.

Senator SMITH. Do you still live on the ranch?

Mr. NEVILL. Now, sir; I am living at Marfa; we had to sell that ranch and get away from there. They kept stealing those cattle. They still do.

Senator SMITH. You knew your life was in absolute danger while you were there?

Mr. NEVILL. Yes, sir.

Senator SMITH. That was the cause of your leaving?

Mr. NEVILL. That was the cause of my leaving. Now, in that raid those fellows carried off nine head of horses, and every bit of grub, and everything in the world they could take with them, and after that they came back and killed the cattle. That was the condition also after the Carrancista soldiers came down there. They came down there and worked within three miles of the river, and everything they could not drive off they killed.

Senator SMITH. You had then to abandon your ranch?

Mr. NEVILL. We had to abandon it; yes, sir. We sold out to Mr. F. A. Spence here, and he had to do the same thing.

Senator SMITH. He had no more security there than you did?

Mr. NEVILL. No more; he had to get rid of every cow he had and just simply abandon it.

Senator SMITH. It is an abandoned ranch now, then?

Mr. NEVILL. It is to-day; yes, sir.

Senator SMITH. I believe that is all unless there is something else you want to say.

The committee finds itself this morning unable to proceed further on account of the absence of witnesses whom we feel should be introduced at this time in order to make a connecting story. I do not think we have any further witnesses to-day; therefore the committee will stand adjourned until to-morrow at 10.30 o'clock.

(The committee then, at 11.30 o'clock a. m., adjourned to meet at 10.30 o'clock a. m., Thursday, February 5, 1920.)



# INVESTIGATION OF MEXICAN AFFAIRS.

THURSDAY, FEBRUARY 5, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,  
*El Paso, Tex.*

The subcommittee met pursuant to the call of the chairman at 10.30 o'clock a. m., in the county court room, courthouse, El Paso, Tex., Senator A. B. Fall presiding.

Present: Senator A. B. Fall and Senator Marcus A. Smith, and Dan M. Jackson, Esq., clerk of the subcommittee.

## TESTIMONY OF CAPT. C. D. WOOD.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. Where do you live, Captain?

Mr. WOOD. Alpine, Tex.

Senator FALL. Are you a citizen of the United States?

Mr. WOOD. Yes, sir.

Senator FALL. A native of what State?

Mr. WOOD. Born in Tennessee.

Senator FALL. How long have you lived in Alpine?

Mr. WOOD. About eight years.

Senator FALL. Are you familiar with conditions along the border during the last eight years?

Mr. WOOD. Yes, sir.

Senator FALL. What has been the condition there in reference to law and order, or violence?

Mr. WOOD. I have been in the manufacturing business there for about seven years and down on the river country I never had any trouble until the Glenn Springs raid came on.

Senator FALL. General conditions had been quiet and peaceful?

Mr. WOOD. Yes, sir; so far as I am concerned.

Senator FALL. I mean conditions generally. I don't mean as to your personal experience.

Mr. WOOD. Oh, they have had stealing; cattle stealing.

Senator FALL. You speak of the Glenn Springs raid; when did that occur?

Mr. WOOD. The 6th of May, 1916.

Senator FALL. Were you present at Glenn Springs at that time?

Mr. WOOD. Not until about 2 o'clock in the morning.

Senator FALL. What occurred there?

Mr. WOOD. Why, I was at my ranch house until about 11 o'clock that night and I heard firing over at Glenn Springs; it woke me up.

Senator FALL. How far?

Mr. WOOD. About 3 miles by air line, about 4 miles by road.

Senator FALL. What did you do, if anything?

Mr. WOOD. I got up and went out on the gallery and listened for a few minutes; it sounded like quite a firing. I waited a little while; eventually I saw the lights of a big fire. There was a mountain between me and Glenn Springs, so then I decided it was a fire and I went over and woke up Mr. Montell. We armed ourselves and decided to go over there. Our idea was to get information and come back and give the alarm; but we went on over. It was a very dark night and we got lost, lost the trail, and it was about 2 o'clock when we got there.

By that time things were rather quiet. We heard Mexicans talking in the Mexican settlement, so we went on through that settlement and got down pretty close to the store and plant, light plant, I suppose about two or three hundred feet from it. We decided then that the soldiers had driven the bandits out. We went on, thinking everything was all right, so got about 100 feet from the store and I heard some horses eating corn. I said to Mr. Montell, I said, "They are horses." "No," he says, "I don't think so; I will go up and see." That was on a small hill about 30 or 40 feet away. He got up there and just as he got up to the top, why, a sentinel challenged him.

Senator FALL. In Spanish or English?

Mr. WOOD. In Spanish, "Quien vive." Mr. Montell says "Quien es." About that time the sentinel shot at him.

Senator FALL. "Quien es" means—who is it?

Mr. WOOD. That was his idea.

Senator FALL. That was in Spanish?

Mr. WOOD. Yes, sir; so he shot at him and he said, "Arriba muchachos;" in other words meaning for the other boys to get up, so we ran. The bullet the Mexican shot at us hit very close to me, so we ran up on the mountain about a quarter of a mile from camp and waited there until daylight and saw these bandits bring horses up to the store and pack them up.

Senator FALL. Packed them up with what?

Mr. WOOD. With the goods that were in the store that was operated by Mr. Montell; I had been a partner in the business. Along about 7 or 8 o'clock they went on down the road toward the Rio Grande to San Vicente.

Senator FALL. That is a little Mexican town on the Mexican side of the river?

Mr. WOOD. On both sides; well what is called Presidio is on the other side of the river.

Senator FALL. Were any Carrancista soldiers supposed to be at this town?

Mr. WOOD. At San Vicente?

Senator FALL. Yes.

Mr. WOOD. No, sir.

Senator FALL. Or on the other side?

Mr. WOOD. It was supposed to be Carrancista territory; it is known as Carrancista territory.

Senator FALL. These people crossed the river there?

Mr. WOOD. Yes, sir; they could not have remained in Glenn Springs.

Senator FALL. What did you do then; what occurred?

Mr. WOOD. After daylight we saw two men down below us. We motioned to them, they came up and they proved to be two soldiers; one of them had only his underclothes, no shoes, and his feet were badly torn.

Senator FALL. American soldiers?

Mr. WOOD. Yes, sir. He had taken his pants, I think, and wrapped his feet up. So we stayed there, the four of us, until we saw these Mexicans were going to leave and started back to Glenn Springs, down the valley, and we saw two more soldiers then; they were badly burned and one of them wounded.

Senator FALL. American soldiers?

Mr. WOOD. Yes, sir; so we six of us then went down into the light plant and we found Mr. Ellis there; he had just come in.

Senator FALL. Where had he been, if you know?

Mr. WOOD. He and his wife went to the hills; his house had been set on fire, the soldiers' quarters; he and his wife went back across this mountain and went to a neighboring ranch.

Senator FALL. They made their escape?

Mr. WOOD. Yes, sir. He left his wife there and got his car and took her to town. I met him there and we went on into town. We found three dead soldiers and the little dead Conklin boy. There was another little Conklin boy, deaf and dumb, that they did not hurt.

Senator FALL. Why did they not hurt that boy, if you know?

Mr. WOOD. I don't know; I understand they don't kill the deaf and dumb.

Senator FALL. They have something of the Indian superstition?

Mr. WOOD. Yes, sir.

Senator FALL. Do you know whether these raiders were followed across the river?

Mr. WOOD. This was Friday night the attack occurred, and Saturday there was a relief of this detachment of soldiers, eight more came down in a truck, and this truck took the dead and wounded back to Alpine, the railroad station, and then Sunday civilians and two soldiers came in and then Monday a lot of civilians and a few soldiers went down to the Rio Grande and San Vincente, to Mr. Deemer's store. I came back Monday afternoon to the railroad and I met a troop of soldiers on the way down. I think they went down and crossed the river.

Senator FALL. You did not go with them?

Mr. WOOD. No. On Monday we found two dead Mexicans that had been thrown under the chaparral bushes. We took them and burned them; that is, I did. One of them held a commission—had a commission on his body as Jefe de Armas—a Constitucionalista's Government commission.

Senator FALL. Jefe de Armas, of the Consitucionalista's; you mean the Carranza Government?

Mr. WOOD. That is what the commission stated—Consticionalista's Government.

Senator FALL. Who was it signed by; do you know?

Mr. WOOD. I do not know.

Senator FALL. Do you remember the name on the commission?

Mr. WOOD. I did; but it was turned over to Capt. Cole, of the military authorities.



Senator FALL. Capt. Cole was in command of the troops that went in there?

Mr. WOOD. Yes, sir; the troop was stationed at Alpine.

Senator FALL. The only dead that you know of was the Conklin boy and the three soldiers?

Mr. WOOD. And the two Mexicans.

Senator FALL. One of the Mexicans had his commission on him?

Mr. WOOD. Yes, sir; he was supposed to have been a captain.

Senator FALL. Do you know whether there were ever any Mexicans arrested by the Mexican authorities or in any way punished for this raid?

Mr. WOOD. No, sir.

Senator FALL. You never heard of any such occurrence?

Mr. WOOD. No; a colonel—a Mexican colonel and three or four soldiers were captured by some Americans at the Boquillas mine—that is just right across the river in Mexico. This colonel and his squad fired on these Americans—about eight—that took this truck down into Mexico, and that night, about 15 or 20 miles from the border, they took charge of these Mexican soldiers, and disarmed them and put them back across the river.

Senator FALL. What became of them?

Mr. WOOD. They were sent to the penitentiary.

Senator FALL. In this State?

Mr. WOOD. Yes, sir.

Senator FALL. But, so far as you know, the Mexican Government made no attempt to punish anyone for this raid, robbery, and murder up to this time?

Mr. WOOD. No, sir; I never heard of it.

Senator FALL. You would likely have heard of it, if it had occurred?

Mr. WOOD. Very likely. The American horses taken over there were returned.

Senator FALL. What about the other property—loot, taken from the store?

Mr. WOOD. I never heard of it.

Senator FALL. You spoke of going down to the Deemer store, did you not?

Mr. WOOD. Yes, sir; I did not go down; the soldiers and civilians went down.

Senator FALL. Do you know anything about what occurred at the Deemer store—who owned it?

Mr. WOOD. It was absolutely looted, I understood; nothing left in it. It belonged to Mr. Deemer.

Senator FALL. Where is Mr. Deemer?

Mr. WOOD. I don't know; I think he is in New Mexico, or Arizona, somewhere.

Senator FALL. Do you know anything about the killing of a man by the name of Deemer down there—a son of this man that owned the store, or a relative?

Mr. WOOD. No, sir.

Senator FALL. Do you know of any other occurrences along the border since that time in the nature of raids; attacks on soldiers, or our soldiers going across the border?

Mr. WOOD. Only by hearsay.

Senator FALL. You have heard of several occurrences?

Mr. WOOD. Yes, sir.

Senator FALL. Personally, you don't know anything about them?

Mr. WOOD. No, sir.

Senator FALL. From what you have heard, conditions along the border have not been very settled or peaceful?

Mr. WOOD. No, sir.

Senator FALL. They have been otherwise than settled and peaceful?

Mr. WOOD. Yes, sir; it is very dangerous to be there without soldiers, as a rule, if you have property.

Senator FALL. It is still dangerous to be there, unless you have a guard?

Mr. WOOD. I would so consider.

Senator FALL. You would not want to stay there without soldiers guarding you?

Mr. WOOD. No, sir.

Senator FALL. Those conditions exist at the present time?

Mr. WOOD. Yes, sir.

Senator FALL. That is in the State of Texas, United States of America?

Mr. WOOD. Yes, sir.

### TESTIMONY OF MR. CREED TAYLOR.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. Where do you live Mr. Taylor?

Mr. TAYLOR. I live now at Marfa, Tex.

Senator FALL. What is your business?

Mr. TAYLOR. In the Customs Service.

Senator FALL. Do your duties compel you to be along the international boundary between Mexico and the United States in the vicinity of where you live?

Mr. TAYLOR. Yes, sir.

Senator FALL. What is your district?

Mr. TAYLOR. My district is the Big Bend district from Green River to the Pecos.

Senator FALL. How long have you been in that district?

Mr. TAYLOR. I have been there three years.

Senator FALL. What have been the conditions along the international boundary on this side during the last few years as to violence, or as to peace and quiet?

Mr. TAYLOR. It has been violent; very unsettled.

Senator FALL. Do you know of any particular instance of violence, raid, robbery, or disturbances occurring on this side of the river—boundary?

Mr. TAYLOR. Yes; I know of some.

Senator FALL. Well, suppose you mention some you have in mind; some instances?

Mr. TAYLOR. Well, the Brite raid, I have heard of the Brite raid and also the Neville raid and also the Petit raid and the raid made at the Cleveland ranch in 1908.

Senator FALL. You speak of the Petit raid, about what time did that occur?

Mr. TAYLOR. That was along about the 13th of day of May, 1918.

Senator FALL. The Petit ranch is situated in the State of Texas on the American side of the international boundary?

Mr. TAYLOR. Yes, sir.

Senator FALL. What occurred at that place?

Mr. TAYLOR. The Mexicans came in there and drove off a bunch of cattle.

Senator FALL. Where did they go with the cattle?

Mr. TAYLOR. Why, they went in the direction of Las Vacas.

Senator FALL. Where is that?

Mr. TAYLOR. That is just across the river from Del Rio.

Senator FALL. Were they followed by anyone from this side, do you know?

Mr. TAYLOR. Yes, sir; the United States troops followed them.

Senator FALL. What troops?

Mr. TAYLOR. Col. Langhorne's troops.

Senator FALL. Where were you when these troops went across?

Mr. TAYLOR. I was with the troops and went across with them.

Senator FALL. Where did you go?

Mr. TAYLOR. We went to Picateria, about 40 miles into Mexico from the border.

Senator FALL. In the interior?

Mr. TAYLOR. Yes, sir.

Senator FALL. How did you happen to go?

Mr. TAYLOR. We followed this trail where they had carried the stock.

Senator FALL. It was a plain trail; you could follow it?

Mr. TAYLOR. It was a plain trail; you could follow it.

Senator FALL. Did you overtake the raiders, or find any of the stolen property?

Mr. TAYLOR. No, sir; when we got to Picateria there was a big rain that washed out the trail; we could not follow it out any farther; we found we could not trace it any farther from Picateria and the troops turned back.

Senator FALL. In what jurisdiction is Picateria and Las Vacas; that is, what faction?

Mr. TAYLOR. That is Carrancista territory.

Senator FALL. Have they troops anywhere in that territory?

Mr. TAYLOR. Why, they have some troops there near Boquillas; that is above this place.

Senator FALL. That is above the Petit ranch?

Mr. TAYLOR. Yes, sir.

Senator FALL. About how far?

Mr. TAYLOR. I suppose about 50 miles.

Senator FALL. Have they any other troops in that vicinity?

Mr. TAYLOR. None that I know of.

Senator FALL. Do you know of any effort being made by the Mexican authorities to return this stolen stock, or apprehend the robbers?

Mr. TAYLOR. No, sir; I do not.

Senator FALL. You have heard of none?

Mr. TAYLOR. Well, after they carried the stock to Las Vacas I understand they notified the owner of the cattle if they would come down there and identify the cattle and pay a bonus of \$10 a head they would return the cattle to this side.

Senator FALL. Who notified them, do you know?

Mr. TAYLOR. Some of the Mexican authorities at Las Vacas.

Senator FALL. The civil authorities?

Mr. TAYLOR. Yes, sir.

Senator FALL. Notified Mr. Petit, the owner of this stock?

Mr. TAYLOR. Mr. Petit and Mr. Moore.

Senator FALL. If they would come down there and identify the cattle and pay \$10 a head they would let them come back to this side?

Mr. TAYLOR. Let them come back to this side.

Senator FALL. State what occurred about their return; what did Petit do?

Mr. TAYLOR. Mr. Petit did not do anything. He figured that after he went down there and paid this penalty on the cattle, and passed them back to this side, and paid the freight on them back home it would be more than the cattle were worth, and thought it was best to just let it go as it was.

Senator FALL. Did anyone else get any cattle back, stolen during that raid?

Mr. TAYLOR. Mr. Cleveland; he paid the penalty of \$50 on his cattle and got them released.

Senator FALL. How many were they?

Mr. TAYLOR. About five head.

Senator FALL. Paid \$10 a head?

Mr. TAYLOR. Yes, sir.

Senator FALL. Gold or Mexican money?

Mr. TAYLOR. He gave them a check for \$50.

Senator FALL. That meant \$50 gold?

Mr. TAYLOR. Yes, sir.

Senator FALL. He got his cattle back?

Mr. TAYLOR. Yes, sir.

Senator FALL. Who delivered them to him; do you know?

Mr. TAYLOR. These Mexicans that had driven the herd off.

Senator FALL. The Mexicans that drove them away?

Mr. TAYLOR. Yes, sir.

Senator FALL. Did he give them a check?

Mr. TAYLOR. Yes, sir; he made a check out to this capitan, the man in authority.

Senator FALL. Who was this capitan, and what did he claim to be?

Mr. TAYLOR. Claimed to be river guard under the Carranza Government.

Senator FALL. River guard under the Carranza Government?

Mr. TAYLOR. Yes, sir.

Senator FALL. He had the cattle?

Mr. TAYLOR. He had the cattle.

Senator FALL. You say he paid it to the men who had driven them away, or this river guard, for the stock?

Mr. TAYLOR. Well, this river guard is the man he gave the check to.

Senator FALL. And he had possession of the cattle?

Mr. TAYLOR. He had possession of the cattle, and also agreed to release Petit's cattle at the same price, but Petit offered to give him a check for his cattle; he would not accept the check, stating he could not handle any more checks; said he would accept cash.

Senator FALL. How far was that from Marfa?

Mr. TAYLOR. From Marfa it is about 130 or 140 miles.

Senator FALL. So this capitan who had possession of them—those stolen cattle—after accepting a check for \$50, said he could not handle any more checks?

Mr. TAYLOR. No; could not accept any more checks.

Senator FALL. He wanted cash?

Mr. TAYLOR. Yes, sir.

Senator FALL. So Mr. Petit let it go?

Mr. TAYLOR. He did not have the money, saying he would have to go to town to get the money to pay it, and by the time he would have gone and got back they would have been gone with the cattle. They did not agree to hold them until he got back.

Senator FALL. Has he ever gotten the cattle back?

Mr. TAYLOR. No, sir.

Senator FALL. They would not surrender them except on payment of the cash—\$10 a head, gold?

Mr. TAYLOR. No, sir.

Senator FALL. About how many cattle were stolen from that ranch?

Mr. TAYLOR. Twenty-eight head.

Senator FALL. Now, you spoke of many disturbances. Do you know where the Granger brothers' ranch is?

Mr. TAYLOR. Yes, sir; their ranch is right next to the Petit ranch, farther out from the river, about 30 miles.

Senator FALL. Do you know anything that happened to them after the raid of the Petit ranch?

Mr. TAYLOR. They lost about 60 head of cattle.

Senator FALL. When was that?

Mr. TAYLOR. That was last year, about July or August.

Senator FALL. Where did the cattle go; do you know?

Mr. TAYLOR. No, sir; I do not. They went across the river. I don't know where they went to.

Senator FALL. You don't know whether the same Carrancista bunch got them or some one else got them?

Mr. TAYLOR. No, sir.

Senator FALL. Have you ever heard of them being returned?

Mr. TAYLOR. No, sir.

Senator FALL. Do you know of any effort being made by the Mexican authorities to return them?

Mr. TAYLOR. No, sir.

Senator FALL. Or arrest or punish those who stole them?

Mr. TAYLOR. No, sir.

Senator FALL. You spoke of something that occurred at the Cleveland ranch, as I understand; what occurred there?

Mr. TAYLOR. Well, the customs officers lost a bunch of horses.

Senator FALL. Do you mean the American customs officers?

Mr. TAYLOR. Yes, sir; September, 1918.

Senator FALL. 1918. What became of those horses?

Mr. TAYLOR. They were driven across the river into Mexico.

Senator FALL. Are they still there, do you know?

Mr. TAYLOR. Yes, sir; they are still there with the exception, I believe, of four head delivered back to this side.

Senator FALL. Who delivered them?

Mr. TAYLOR. There were two put across the river the next night after they were carried over; they appeared on this side. I don't know who released them. Then there was one horse delivered to Inspector Neill at Presidio last year.

Senator FALL. By whom?

Mr. TAYLOR. By the Mexican officials there at Ojinaga, and there was one horse that was ridden on this side by a Carrancista captain at Polvo, and captured by our customs inspectors.

Senator FALL. The others, you don't know where they are, I presume?

Mr. TAYLOR. No, sir; I do not.

Senator FALL. With the exception of returning the two horses, do you know of any effort being made by any Mexican authorities to apprehend the robbers or return any other horses?

Mr. TAYLOR. No, sir.

Senator FALL. They did not apprehend or punish any of the thieves?

Mr. TAYLOR. No, sir; not that I know of.

Senator FALL. But one of the horses was ridden on this side by a Carrancista officer?

Mr. TAYLOR. Yes, sir.

Senator FALL. The horse was identified on this side?

Mr. TAYLOR. Yes, sir.

Senator FALL. And so was the officer?

Mr. TAYLOR. Yes, sir.

Senator FALL. Have you ever seen any of these horses since; or know anything about who is riding them or using them?

Mr. TAYLOR. No, sir; I have not.

Senator FALL. Do you know of your own personal knowledge, or by good hearsay, in that immediate vicinity of any other occurrence since 1919?

Mr. TAYLOR. No, sir. Nothing except little, petty thefts.

Senator FALL. What are the conditions there with reference to safety of homes, life, and property on this side?

Mr. TAYLOR. Well, it is unsafe.

Senator FALL. Still in that condition?

Mr. TAYLOR. Yes, sir.

Senator FALL. Why?

Mr. TAYLOR. Well, the Mexicans on the other side, they are coming across all the time carrying stock off and molesting property on this side.

Senator FALL. They come from the Carranza jurisdiction?

Mr. TAYLOR. Yes, sir.

Senator FALL. Territory?

Mr. TAYLOR. Yes, sir.

Senator FALL. None of them have ever been punished for any depredations on this side?

Mr. TAYLOR. None that I know of.

Senator FALL. The secretary calls my attention to what is known as the Bill Russell raid in April, 1918, do you know anything about that?

Mr. TAYLOR. Yes, sir. Mr. Russell lost some cattle in April, 1918, below Presidio, that is cattle. I was with the military people when they trailed this stock to the river; where it crossed the river.

Senator FALL. You mean with the United States military forces?

Mr. TAYLOR. Yes, sir.

Senator FALL. Did they attempt to cross the river?

Mr. TAYLOR. No, sir; they did not cross the river.

Senator FALL. Turned back?

Mr. TAYLOR. Yes, sir.

Senator FALL. Has any of that stock been recovered?

Mr. TAYLOR. None that I know of.

Senator FALL. Has anyone ever been punished for the offense?

Mr. TAYLOR. I don't think so.

Senator FALL. Has any attempt ever been made to capture and punish the thieves?

Mr. TAYLOR. None that I ever heard of.

Senator FALL. They followed the trail that went to the river where they would go into Carranza territory?

Mr. TAYLOR. Carranza territory; yes, sir.

#### TESTIMONY OF MR. GROVER WEBB.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. Mr. Webb, are you an American citizen?

Mr. WEBB. Yes, sir.

Senator FALL. Of what State are you a native?

Mr. WEBB. Texas.

Senator FALL. What is your business?

Mr. WEBB. I am inspector of customs.

Senator FALL. What is your district?

Mr. WEBB. Big Bend district, twenty-fourth district.

Senator FALL. Where do you live, where do you stay?

Mr. WEBB. Presidio, Tex., station.

Senator FALL. You are in the United States service?

Mr. WEBB. Yes, sir.

Senator FALL. Does your business require you to be in the Big Bend district along the boundary, international boundary?

Mr. WEBB. Yes, sir.

Senator FALL. Between the United States and Mexico?

Mr. WEBB. Yes, sir.

Senator FALL. How long have you been there?

Mr. WEBB. I have been in the Customs Service three years. Been in the Customs Service two years, and volunteered in the Army and served in the Army along in the Big Bend in the Corps of Intelligence police, and since I have been out I have been in the Customs Service again a year.

Senator FALL. Where did you live in 1915?

Mr. WEBB. Marfa, Presidio County, Tex.

Senator FALL. Then you have been familiar with this district at least since 1915?

Mr. WEBB. Yes, sir.

Senator FALL. The greater portion of the time in the customs or military service?

Mr. WEBB. Yes, sir.

Senator FALL. What are the conditions in this district in the State of Texas—on the American side of the boundary line, of course—as to law and peace and order and safety, or violence and disturbances?

Mr. WEBB. It is violent, unsafe.

Senator FALL. The American citizens doing business in that district, do they have any assurance of safety unless guarded by the military or other armed forces?

Mr. WEBB. No, sir.

Senator FALL. Who or what faction of Mexicans are in control across the international boundary in Mexico?

Mr. WEBB. The Carrancistas.

Senator FALL. Have they any soldiers, customs guards, or other guards presumably there to preserve law and order?

Mr. WEBB. They have soldiers and customs guards over there.

Senator FALL. Well, do they preserve order, do you know?

Mr. WEBB. No, sir.

Senator FALL. Well, why don't they preserve order, do you know?

Mr. WEBB. No, sir.

Senator FALL. Do they try?

Mr. WEBB. No, sir.

Senator FALL. Do you know where Hancock's ranch is?

Mr. WEBB. Yes, sir; above Alpine, Tex.

Senator FALL. Are you familiar with it?

Mr. WEBB. Yes, sir; I know where the ranch is.

Senator FALL. Do you know anything about a raid on that ranch in 1915 or at any time?

Mr. WEBB. Yes, sir; along about that time there were seven, I believe, seven head of horses stolen off that ranch.

Senator FALL. Do you know what went with them, whether they were stolen by people on this side; I mean, were they thieves from this side?

Mr. WEBB. Yes, sir; I think they were stolen by Mexicans around Alpine and were carried to the other side of the river.

Senator FALL. Stolen by local thieves on this side?

Mr. WEBB. Yes, sir; I think probably some of these Mexicans were formerly Mexican citizens over there, and when they got ready to go back they stole these horses and carried them back to the Mexican side.

Senator FALL. Were any of those horses ever recovered, so far as you know?

Mr. WEBB. No, sir.

Senator FALL. They were not followed across the river by any of our armed forces?

Mr. WEBB. No, sir.

Senator FALL. But they were followed to the international boundary?

Mr. WEBB. Yes, sir.

Senator FALL. You heard Mr. Taylor testify, did you, as to the loss of the inspector's horses?



Mr. WEBB. Yes, sir.

Senator FALL. Are you familiar with that?

Mr. WEBB. Yes, sir; I was there.

Senator FALL. The circumstances are practically those which Mr. Taylor, the former witness, detailed?

Mr. WEBB. Yes, sir.

Senator FALL. Have you ever seen any of those inspectors's horses since they were stolen?

Mr. WEBB. Yes, sir.

Senator FALL. Where?

Mr. WEBB. I have seen one of them in Ojinaga, and on the 1st day of January, this year, the customs inspector Spence and Lieut. Palmer they arrested Capt. Doroteoo Aguilar, out of the Eighty-third Regiment; he came to Presidio with one of these horses.

Senator FALL. And came across the international boundary?

Mr. WEBB. Yes, sir; came over armed with one Mexican soldier and one river guard; they were all three arrested and disarmed, this captain had one of these horses.

Senator FALL. He was riding him?

Mr. WEBB. Yes, sir.

Senator FALL. You say you saw one of these horses at Ojinaga?

Mr. WEBB. Yes, sir.

Senator FALL. Ojinaga is in the Republic of Mexico?

Mr. WEBB. Yes, sir; military headquarters.

Senator FALL. Carranza's military headquarters?

Mr. WEBB. In his district.

Senator FALL. When was it you saw this horse there?

Mr. WEBB. The first time I saw him was some time in September.

Senator FALL. Of last year?

Mr. WEBB. Yes, sir; I have seen him this year; about three weeks ago I saw the horse again.

Senator FALL. Has he any brand or marks on him by which you could identify him?

Mr. WEBB. Yes, sir.

Senator FALL. What are the brands or marks on him?

Mr. WEBB. He has an "O U" on the left side.

Senator FALL. Who had him? In whose possession is the horse?

Mr. WEBB. He is in possession of the commanding officer there, Gen. Joaquin Amaro.

Senator FALL. Do you know whether the general knows where that horse came from?

Mr. WEBB. Yes, sir; I went over there and tried to get him to turn him over to me, and told him it was our horse, and we identified it. He refused to turn him over to me, he said he had bought the horse, said I might have him by paying 300 pesos for him, \$150 gold.

Senator FALL. Whose property was this horse?

Mr. WEBB. He belonged to inspector Howard Allen.

Senator FALL. Personal property?

Mr. WEBB. Yes, sir.

Senator FALL. Now, this horse taken from this captain coming over on this side, what became of it?

Mr. WEBB. He was turned over to us, and he is being held at the present time by me to be returned to the inspector, who he belongs to.

Senator FALL. Being held by you?

Mr. WEBB. Yes, sir. I have him down there waiting to send him to the owner.

Senator FALL. Has any demand been made for his return to the other side of the river?

Mr. WEBB. Yes, sir; they filed a claim for all three of the horses, this horse also.

Senator FALL. Who filed the claim?

Mr. WEBB. Gen. Cordona filed the claim through the Mexican consul at Presidio for him.

Senator FALL. So they not only retained the horse they have on the other side, but they filed a claim to get back those you were fortunate enough to recover on this side?

Mr. WEBB. Yes, sir.

Senator FALL. You have not given him back yet?

Mr. WEBB. No, sir; and do not intend to.

Senator FALL. What answer was made to this official demand by the Mexican consul for these horses; what answer was made by the Americans, if any?

Mr. WEBB. I referred the matter to the collector of customs here, he wrote me to see the Mexican consul down there and see if he would agree to turn the horse that they had in Ojinaga back in exchange for the two horses that really belonged to them, which the general refused to do.

Senator FALL. That is, when you seized this one horse from this captain, he had two soldiers along with him, who had Mexican horses?

Mr. WEBB. They had Mexican horses.

Senator FALL. So you took them all?

Mr. WEBB. Yes, sir.

Senator FALL. You made the proposition if the general in command would return the stolen horse you would return the two seized horses?

Mr. WEBB. Yes, sir.

Senator FALL. Was that suggestion acceptable?

Mr. WEBB. No, sir; he turned it down.

Senator FALL. Do you know anything about what is known as the Brite raid?

Mr. WEBB. Yes, sir.

Senator FALL. Where were you at that time, or shortly after?

Mr. WEBB. In Marfa, Tex.

Senator FALL. Where did you go from Marfa?

Mr. WEBB. Col. Langhorne sent me out from Marfa, I was familiar with all of that country, and all the trails, as guide with the troop that went to this Brite ranch and followed this band into Mexico.

Senator FALL. How long after the raid was it before you reached the ranch?

Mr. WEBB. We reached the ranch just shortly after the bandits had left there; they were in sight of the ranch, just going off the rim rock.

Senator FALL. Did you follow them?

Mr. WEBB. Yes, sir.

Senator FALL. Where to?

Mr. WEBB. We followed them into Mexico.

Senator FALL. Across the International boundary into Mexico?

Mr. WEBB. Yes, sir.

Senator FALL. How many military troops?

Mr. WEBB. Along with me there was a troop, and then from Ruidosa one troop and from Candelaria one troop, there were two troops sent up the river, and also one above from what is known as Everett's ranch. They arrived at the river where these bandits crossed before we did, so they crossed ahead of us.

Senator FALL. Were the bandits overtaken?

Mr. WEBB. Yes, sir.

Senator FALL. Were you there?

Mr. WEBB. No, sir. The troops from Candelaria and Ruidosa got to the bandits before we did.

Senator FALL. Do you know in whose command those troops were that overtook the bandits?

Mr. WEBB. Col. Langhorne.

Senator FALL. Their captain or lieutenant?

Mr. WEBB. Capt. Sprinkle was in command.

Senator FALL. Did you follow the trail?

Mr. WEBB. Yes, sir.

Senator FALL. Did you reach the scene of the engagement?

Mr. WEBB. Yes, sir; we got to where they had had this first engagement; when we got to where they had the first engagement we could hear them still firing up in the mountains; we went on to them; it was almost sundown when we got there, still firing.

Senator FALL. About how many Mexicans were there in this raid?

Mr. WEBB. I judge about 30 or 35, probably more.

Senator FALL. Were there any casualties during the engagement, on the other side?

Mr. WEBB. I did not see any dead Mexicans on the other side, but the party that engaged them, the soldiers that engaged them before we got to them, said there was about 18 dead; it was dark after I came back from the battlefield. I did not see any dead Mexicans.

Senator FALL. Looking over the ground around the Brite ranch, when you reached there, did you find any bodies there?

Mr. WEBB. There was one body found at Brite's ranch; there was a mail carrier, Mick Wells, killed in the store over at Brite's ranch; he was hung, and his throat cut in the store. About 400 yards beyond the ranch there were two dead Mexicans; been killed out of the mail coach approaching Brite's ranch; out about 2 miles there was a Mexican found partly buried; he was one of the raiders that had been killed.

Senator FALL. Could you identify him by his uniform or clothing?

Mr. WEBB. He had a coat on, part of a Carranza officer's uniform.

Senator FALL. The body had been partially buried?

Mr. WEBB. Yes, sir; there was a gully there; they just laid him in this gully and caved the banks in on top of him.

Senator FALL. You saw the body of Wells?

Mr. WEBB. Yes, sir.

Senator FALL. You say his throat was cut?

Mr. WEBB. Yes, sir.

Senator FALL. Where he had been hung?

Mr. WEBB. Yes, sir; they just threw a rope over the rafters in the store, and it looked like one drew him up while the other one cut his throat, and wiped the blood off on his shirt, and let him fall right there in his own blood.

Senator FALL. What other evidences of a fight did you find there; was there any arms, swords, pistols, or guns—anything of the kind?

Mr. WEBB. Yes, sir; where they came off what is known as the rim rock, it is pretty steep there, we followed them over this rim rock, down in the hollow, and practically made them drop all of their loot from their saddle horses and pack horses and there was a coat and sword found as if some Mexican had been shot off his horse, or seriously wounded; there was a coat there as that of a Carranza officer; also a sword I saw picked up.

Senator FALL. You say they made them drop their loot. What did the loot consist of, do you remember?

Mr. WEBB. Consisted of various things out of the store, dry goods, groceries.

Senator FALL. What was the date of that raid?

Mr. WEBB. December 25, 1918, Christmas Day.

Senator FALL. I neglected to ask you. You know Chico Cano?

Mr. WEBB. Yes, sir. I know of him, I have seen him.

Senator FALL. Where did you see him last?

Mr. WEBB. It has been about three years since I saw him last in San Antonio, Mexico. I was on this side of the river, I saw him just across the river.

Senator FALL. Have you any means of knowing what his official employment is, if any?

Mr. WEBB. At the present time is a captain of a bunch of scouts located in about Barrancas and San Jose.

Senator FALL. You say he is a captain, under whom? Who is he operating with?

Mr. WEBB. With the Carrancistas, that is the report.

Senator FALL. Do you know Ranger Cox?

Mr. WEBB. Yes, sir.

Senator FALL. Have you had any conversation with him recently about Chico Cano?

Mr. WEBB. Yes, sir.

Senator FALL. In reference to Chico Cano's employment?

Mr. WEBB. Yes, sir.

Senator FALL. What did the ranger tell you?

Mr. WEBB. He was over in Ojinaga about two weeks ago, such a matter as that, and he saw Chico Cano, and his band there in Ojinaga, he said he was there for pay day, being paid off.

Senator FALL. That is in Ojinaga, and it is the military headquarters for Carranza in that district?

Mr. WEBB. Yes, sir.

Senator FALL. And the ranger says he saw Chico Cano there with his band being paid off?

Mr. WEBB. Yes, sir.

Senator FALL. About two months ago?

Mr. WEBB. About two weeks ago.

**TESTIMONY OF MR. B. M. WADSWORTH.**

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. You are a citizen of the United States?

Mr. WADSWORTH. Yes, sir.

Senator FALL. Where do you live?

Mr. WADSWORTH. El Paso at the present time.

Senator FALL. What is your business?

Mr. WADSWORTH. United States customs inspector.

Senator FALL. Are you familiar with the boundary line below El Paso, the international boundary between the United States and Mexico?

Mr. WADSWORTH. Yes, sir.

Senator FALL. How long have you known of it?

Mr. WADSWORTH. I was raised on it, 33 years.

Senator FALL. How long have you been in the United States service?

Mr. WADSWORTH. Seven years this month, the 22nd day.

Senator FALL. Where have your duties been performed?

Mr. WADSWORTH. Big Bend district.

Senator FALL. Until you moved to El Paso?

Mr. WADSWORTH. Yes, sir.

Senator FALL. When did you come to El Paso?

Mr. WADSWORTH. October 5.

Senator FALL. This last year?

Mr. WADSWORTH. Yes, sir.

Senator FALL. During the last few years and up to the present time, if you know, or up to October of this year, what are the conditions in Texas, on this side; that is, the United States side of the boundary line in the Big Bend district, in reference to violence, or peace and safety?

Mr. WADSWORTH. Well, along the Rio Grande where I have been stationed it is mighty poor on account of Mexicans.

Senator FALL. These conditions have not been safe for American citizens?

Mr. WADSWORTH. Have not been safe.

Senator FALL. Either for their lives or property?

Mr. WADSWORTH. Yes, sir.

Senator FALL. Both?

Mr. WADSWORTH. Yes, sir.

Senator FALL. Do you know Inspector Sitters?

Mr. WADSWORTH. Yes, sir; my first river guard was under Mr. Sitters; he was the inspector in charge.

Senator FALL. Did you know Ranger Hulén?

Mr. WADSWORTH. Yes, sir.

Senator FALL. Do you know what has become of Sitters and Hulén? Are they alive or dead?

Mr. WADSWORTH. They are dead, sir.

Senator FALL. Do you know anything about the circumstances of their death?

Mr. WADSWORTH. Well, yes; I could tell you some. About May 24, 1916, they were waylaid by Mexicans from Mexico, at a point

about 7 miles from Pilares, a little old place on the Texas border, and it is about 7 miles from the river where this killing happened. Sitters and Hulen were both killed there. There were five in the party; three of the party escaped unhurt.

Senator FALL. What was the circumstances of their killing, as you learned; you say they were waylaid?

Mr. WADSWORTH. Yes, sir; I learned from the other boys that got away. There was Mr. Charlie Chaighead, Trollinger, and Sug Cummings, they camped within about 5 miles of the river at a water hole for the night. That night they heard some horses going by their camp; the colts were nickering. They could hear Mexicans talking. They sort of raised up to see what they could see, still afraid to get up; that is, to get out there and see what it was. They waited until daylight; at daylight they went up and looked over the ground. There were tracks of horses that went by their camp pretty close, with ropes dragging. Mr. Sitters being in charge ordered the men to saddle up, and had the mules packed up, and put their mules where they thought they were at safety, and they followed these tracks. These tracks finally led into a big, sharp canyon. Mr. Sitters put his field glasses on them in this canyon and saw some horses up against the bluff. Mr. Sitters he told Charlie Craighead, Trollinger, and Cummings to go straight into the canyon, and Mr. Hulen and himself would go up on top of a little hill, and look if anything was to happen they could see what happened.

When they separated a few minutes afterwards the firing began, the shooting started, and the boys there—that is, Charlie Craighead, and Trollinger, and Cummings—they never could see what had become of Mr. Sitters and Hulen any more; they had to hustle their way out of there the best way they could, and they walked back to where they left their pack mules, and they had to get on their mules' bare back, and rode to a ranch—the old Bill McGee ranch—from there they fixed up a note and sent it by a Mexican to John Poole's ranch. John Pool got in his car and came to Mr. Luke Brite's ranch and phoned to Marfa for help. I happened to be in Marfa at the time; there was a posse of 11 of us left Marfa in an automobile and came to Mr. Pool's that night. He had horses saddled; we got to the McGee ranch where the boys were that night about daylight. They told us all about how they were waylaid; they said Mr. Sitters and Hulen were both killed, they believed. So we started to where this waylaying happened, went in a round-about way to get into the canyon, afraid they were laying still another trap for us, and looked over and saw where the shooting happened, and finally found both bodies, Hulen and Sitters's bodies, and Mr. Sitters's horse dead. The other horses—saddle horses—the outlaws took them with them.

Senator FALL. In what condition was Sitters's body?

Mr. WADSWORTH. He was in very bad condition, looked like; it not only looked like, but he was. I was right there. I helped to put him on a pack mule myself. He was lying on his back in sort of a cramped position; looked like he died in great agony, his knees drawn up, cramped up, his hands and fingers like that, drawn up over his face; you could see where his flesh had been knocked off his knuckles with rocks; his left eye in his head had been caved in. The rock was laying a little bit to one side; I judge it weighed about 20

pounds. He had 11 bullet holes in his body; that is, we could find out he had 11 bullet holes in it for the simple reason the body was in very bad shape—about 34 hours from the time of his death until he was found.

Senator FALL. The body was mutilated?

Mr. WADSWORTH. Yes, sir.

Senator FALL. Was the trail of these assassins followed?

Mr. WADSWORTH. Yes, sir; they were followed to the Mexican line, not by the posse. We went after the bodies, however. Their clothes were off of them; they took their boots—the best part of their clothes they took with them, rifles, six-shooters, watches, all the money they had.

Senator FALL. You say when they passed camp they had colts nickering and ropes dragging; what was the object of the ropes dragging?

Mr. WADSWORTH. They knew the boys were camped there, the outlaws; they were afraid to do anything that night, afraid they could not win; by driving near by there with ropes dragging, they knew Mr. Sitters, being an old inspector there, he would get up the next morning and follow this trail into this canyon where the outlaws would have this trap laid for him to kill him.

Senator FALL. This impression made upon yourself, and the other officers, that it was a deliberate plan to assassinate these men?

Mr. WADSWORTH. Yes, sir.

Senator FALL. How many, if you can estimate, was in that gang?

Mr. WADSWORTH. According to the other inspectors that came out of the affair they said there must have been about 25 or 30, but according to the tracks that we saw there the next day there must have been 25 or 30.

Senator FALL. Now, do you know or have you any source of information as to who was in charge of that band of assassins?

Mr. WADSWORTH. No, sir; only just from hearsay.

Senator FALL. What kind of hearsay?

Mr. WADSWORTH. Pretty good hearsay; people living right there on the border, such as Kilpatrick for one, and Jose Benton, that lived at Shafter, he was at Ojinaga about a month afterwards; he went over there to buy some cattle, and he met up with an old man named Zapata; he was one of these raiders living across from Pilaes; and old man Zapata made his brag over there. He had a family, his sons were in the bunch; he had about four sons working with the Cano ring, the Cano brothers there.

Senator FALL. What Canos?

Mr. WADSWORTH. Chico Cano, Jose Cano, Manuel Cano.

Senator FALL. Where is Chico Cano now?

Mr. WADSWORTH. Chico Cano is across from Pilaes now, and Jose Cano—there are only two living.

Senator FALL. What is his business?

Mr. WADSWORTH. He is a thoroughbred outlaw.

Senator FALL. You don't know whether he holds or has held any official position on the Mexican side of the line?

Mr. WADSWORTH. He holds on one side—Villa side, and then he holds with the Carranza side. If one side won't have him, why he goes with the other side.

Senator FALL. Common rumor is that Chico was one of the raiders of this band of assassins?

Mr. WADSWORTH. Yes, sir; and I know it from several pretty good Mexicans that live on the border there; he made his brag there that he would not be satisfied until he got Joe Sitters's scalp.

Senator FALL. Sitters was an officer?

Mr. WADSWORTH. Yes, sir.

Senator FALL. Had he ever had trouble with Cano?

Mr. WADSWORTH. Yes, sir; several times he was waylaid by the Cano outfit; one time he had Chico Cano a prisoner at the time he was waylaid, that was on the 23d day of January, 1913, and that is when Jack Howard was killed and Harvis was wounded.

Senator FALL. Did he lose his prisoner there?

Mr. WADSWORTH. Yes, sir; they were all addled at the time Mr. Jack Howard was shot down, as well as when Mr. Sitters was shot also. He could not do anything, they were all addled, and Mr. Harvis was shot in the leg. Mr. Harvis was the only man that could hold the ground to keep from all three being murdered. Mr. Howard died the next evening at 7 o'clock. Mr. Harvis was in the hospital here in El Paso for 30 days.

#### TESTIMONY OF MR. A. J. KING.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. Sergeant, are you a citizen of the United States?

Mr. KING. Yes, sir.

Senator FALL. Of what State are you a native?

Mr. KING. Illinois.

Senator FALL. Where do you live now—where are you located?

Mr. KING. Marfa, Tex.

Senator FALL. What is your business?

Mr. KING. Sergeant of the Ranger Force under Captain—

Senator FALL. How long have you been with the Ranger Force?

Mr. KING. It will be two years in June.

Senator FALL. Are you familiar with the conditions in Marfa, in the Big Bend district?

Mr. KING. Yes, sir.

Senator FALL. How long have you been familiar with that district?

Mr. KING. I lived there in that district since 1897.

Senator FALL. What are the conditions that exist there at the present time, and what have they been for the last few years, with reference to law and order, violence, etc?

Mr. KING. It has been very unsafe for a period of years for Americans on the border to live there. Their ranch is liable to be robbed at any time, or they murdered.

Senator FALL. What is the reason for your unsafety; why is it that you or the Rangers can not maintain order there as you do at other places in Texas?

Mr. KING. It seems to me that the greatest trouble is that the so-called government, Mexican Government, employ Mexican outlaws to fill the official positions in Mexico, and, of course, they are



the fellows that do most of the raiding and stealing and murdering on our side and we get no cooperation from the Mexican Government, nor with the local officials.

Senator FALL. The local officials on our side?

Mr. KING. No; on the Mexican side; and they do not cooperate at all.

Senator FALL. What becomes of parties who commit depredations on this side—where do they go?

Mr. KING. They go into Mexico.

Senator FALL. And when they get into Mexico, do you mean to say they are sanctuary with the Mexican Government, they won't arrest them or attempt to turn them over to you, or cooperate with you?

Mr. KING. Not at all.

Senator FALL. You have no authority to cross the boundary line?

Mr. KING. Only when United States soldiers go.

Senator FALL. They are only authorized to go on a hot trail?

Mr. KING. Yes, sir.

Senator FALL. The Texas rangers have no authority themselves to go across?

Mr. KING. No, sir.

Senator FALL. You know of any recent depredations down there?

Mr. KING. There was a store looted at Ruidosa, called the Baldwin Ranch Store, last month. It belonged to Mr. T. D. Baldwin, I believe it is. I think they took about \$80 worth of provisions and stuff from his store and threatened his life if he did not send them over some tobacco on the other side. It seems it was a little bunch of those Cano bandits that lived across from Ruidosa.

Senator FALL. You saw Cano, can you identify him in any other way?

Mr. KING. He is a captain under the Carranza reign and has a band of about 35 men under him, I understand.

Senator FALL. That Chico Cano?

Mr. KING. Yes, sir; Chico Cano. His men work with him; they came over and robbed the Baldwin store.

Senator FALL. Were they followed?

Mr. KING. They were not; no, sir. A few days later one came back and was standing outside of Mr. Baldwin's place armed with two 6-shooters and a rifle, trying to get Mr. Baldwin out of the store so he could kill him, when two of our men rode up and arrested this Mexican, and they started down the river with him and his crowd on the Mexican side saw it and five of them came across to the Baldwin store and talked with some of the folks there and found out what had happened to their friend and they said they were going down and kill the rangers and take the man away from them. They followed our men, and I think it was a few miles below the store they got into shooting range and they began to fire on them and this was the first they knew they were being followed. The prisoner was handcuffed on horseback and began to run on the horse and I think one of our rangers shot at him and thought he had killed the prisoner and whirled to fight off the Mexicans, and after firing 40 or 50 shots they ran the Mexicans off and went to find their supposed dead pris-

oner and he had gotten away. They had evidently shot close to the horse's ears and the horse threw him and he got into Mexico.

Senator FALL. What date was that?

Mr. KING. I think about the 20th of January or the 21st.

Senator FALL. This year?

Mr. KING. Yes, sir. This year.

Senator FALL. Who were these men, these five men that crossed the river from the Mexican side to this side and followed the rangers?

Mr. KING. I do not know their names.

Senator FALL. But the men themselves were identified.

Mr. KING. Yes, sir; absolutely identified by Mr. Baldwin, he knew every one of them and people that worked for him.

Senator FALL. Did they belong to any command which you know on the other side of the river?

Mr. KING. I think a number of them were in Chico Cano's band. They also robbed a threshing machine they had there and stripped it of everything. They even took the bolts and carried them off with them.

Senator FALL. Then the terror and the violence and murder, or attempted murder on this side of the river had not only continued for several years past, but has continued up to at least the 21st day of January of this present year?

Mr. KING. Yes, sir.

Senator FALL. And you say you received no cooperation from the Carranza authorities on the other side in attempting to apprehend the ones that do these things?

Mr. KING. No, sir.

Senator FALL. Have they ever turned over to you any man you demanded or any man you followed?

Mr. KING. Never have. They promised to turn over a man last year that had committed a killing down below Presidio and he ran across the river and went to Ojinaga and the commanding officer there finally agreed to turn him over to Capt. Gray and Gray went down there to get him and he stayed on the bank of the river all day long waiting for him and he never did deliver him and he is still over there.

Senator FALL. Have you ever, yourself, or have efforts ever been made by yourself and other officers of the law to secure cooperation?

Mr. KING. Yes, sir.

Senator FALL. Do you know of any efforts being made by yourself, you have made efforts to secure the cooperation of the Carranza officers?

Mr. KING. Yes, sir.

Senator FALL. They have been unavailing entirely?

Mr. KING. Yes, sir; absolutely.

Senator FALL. I think that is all; very much obliged to you. What were the Rangers names that were in charge of this prisoner?

Mr. KING. Dykes and Woodland.

Senator FALL. Do you know whether or not they will be here?

Mr. KING. I have made arrangements for Mr. Dykes to come in this afternoon, or as soon as he can get here.

**TESTIMONY OF MR. J. F. TIGNER.**

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. You are a citizen of the United States, Mr. Tigner?

Mr. TIGNER. Yes, sir.

Senator FALL. Of what State are you a native?

Mr. TIGNER. Louisiana.

Senator FALL. Where do you live now?

Mr. TIGNER. Marfa, Tex.

Senator FALL. Marfa, Tex.?

Mr. TIGNER. Yes, sir.

Senator FALL. Are you familiar with the Big Bend district near Marfa and along the international line—border?

Mr. TIGNER. Fairly well, Senator.

Senator FALL. What is your business?

Mr. TIGNER. Cattle raising business.

Senator FALL. Where is your ranch?

Mr. TIGNER. I have two places, one pasture near Marfa and another pasture near the river. I have owned this last place since 1909, until last August, when I sold it.

Senator FALL. What have been the conditions near the river, your river place, with reference to law and order?

Mr. TIGNER. Very little law and order there; considerable depredations.

Senator FALL. Can you give us any instances of violence along the border around your place?

Mr. TIGNER. There has been considerable number of stock stolen and taken across the river.

Senator FALL. When was that, Mr. Tigner?

Mr. TIGNER. They began in 1917 and continued up until now.

Senator FALL. Have you ever been able to recover any of the stock?

Mr. TIGNER. No, sir; but I got pay for five head at one time.

Senator FALL. Who paid you?

Mr. TIGNER. That was paid through—I got that pay through Col. Langhorne, and it was paid by the Mexican consul, Mr. Garcia here.

Senator FALL. Col. Langhorne was the United States commander of the troops along the border until recently?

Mr. TIGNER. Yes, sir.

Senator FALL. From whom you desired pay for five head?

Mr. TIGNER. Yes, sir. Five head taken out at one time.

Senator FALL. Who runs your ranch, who lived there and run the ranch?

Mr. TIGNER. At that time Mr. P. D. Dyke was foreman.

Senator FALL. Have you had any other foreman?

Mr. TIGNER. Yes, sir; shortly after that—a Mexican foreman I had from the time I owned the land until December 1, 1917, until he was killed, for a period of about nine years.

Senator FALL. How was this Mexican foreman killed—he was killed?

Mr. TIGNER. Yes, sir.

Senator FALL. Under what circumstances?

Mr. TIGNER. He and I and some soldiers from Troop K of the Eighth Cavalry followed a trail of some cattle across the river and we were close to some ranch houses——

Senator FALL. On the Mexican side?

Mr. TIGNER. Yes, sir; on the Mexican side, and we were ambushed right at this house; fired on from the bushes by a bunch of Mexicans just as we approached this building.

Senator FALL. What occurred—was anyone hurt by the firing?

Mr. TIGNER. Yes, sir; one soldier killed and another one wounded and I believe a second one slightly wounded.

Senator FALL. And this foreman of yours?

Mr. TIGNER. He was killed.

Senator FALL. At that time?

Mr. TIGNER. Yes, sir.

Senator FALL. What was his name?

Mr. TIGNER. Justo Gonzales.

Senator FALL. Do you know whether he was an American citizen or not?

Mr. TIGNER. I think he was.

Senator FALL. You had always known him on this side of the river?

Mr. TIGNER. Yes, sir. He was raised there in Indio; he was 58 or 59 years old when he was killed.

Senator FALL. Anything happen to you at that time during that firing?

Mr. TIGNER. Nothing in the way of violence. The horse I was riding I believe was killed—four horses were killed.

Senator FALL. You don't consider your horse being killed under you violence?

Mr. TIGNER. He was not killed from under me; he was shot near me. We were all on the ground at that time.

Senator FALL. Did you recover any of the cattle?

Mr. TIGNER. No, sir.

Senator FALL. Did you ever get any pay for them?

Mr. TIGNER. No pay for that—these cattle had been slaughtered. We were over there two different days. These cattle were stolen one night, and we crossed the river, and I happened to be down there at that time. I do not live on the ranch. I got the report at noon that the cattle had been taken out the night before, and I telephoned to Col. Langhorne at Marfa asking for assistance. He instructed me to go to Indio, about 8 miles from my ranch; that he would have some soldiers there all ready to go with me and follow the trail. I had my man to go with me, and we followed it down the river, as we had done it so many times.

Senator FALL. That wasn't the first time?

Mr. TIGNER. No, sir; not by any means. So I went to the river in my car and found Lieut. Matlack—at that time he was a lieutenant—he was in command of the troop. He had horses and a horse ready for me, and we immediately left and met my man at the bank of the river where we saw plainly where the cattle had gone across, as that was the first real warm trail I had found, and I told Capt. Matlack I would like to have him go across. Before that I had to be called from Marfa by telephone.

Senator FALL. The trail was cold?

Mr. TIGNER. Yes, sir. A few days before that, I think three days before, we had followed six head to the river that had been stolen out the night before, and I had some troops with me that time, but this was a different captain—a troop from Riudosa—and he told me he could not follow the trail across, as they did not appear they were fresh enough; for that reason he would not go across, but if I would go across and could find a trail and figure it out he would back me up.

Senator FALL. He would remain on this side for you to go across, and he would protect you?

Mr. TIGNER. Yes, sir. I went across with the Mexican foreman. We could not make it out very plain on the other side; they were then about three days old since we had followed them. We stayed there an hour or two, but there had been some goats and things that had gone across, and we came back, and that very night we followed the next bunch.

Senator FALL. You say you sold the ranch?

Mr. TIGNER. Yes, sir.

Senator FALL. When?

Mr. TIGNER. August, last year.

Senator FALL. It was a good ranch?

Mr. TIGNER. Yes, sir; very good for the purposes it was used in that country.

Senator FALL. Have any particular reason for selling it?

Mr. TIGNER. Yes. We had so many depredations committed on it and it was hard to keep men out there, and they were stealing from us all the time and the people never knew when they would be overpowered and they would take all they had.

Senator FALL. And you was disgusted with it?

Mr. TIGNER. Yes, sir. They were getting worse all the time and they were getting bolder and taking more cattle.

Senator FALL. You thought if your Government could not protect you in peace and enforce the law, it was time you turned it over to somebody else?

Mr. TIGNER. I did not complain—I had no complaint to make of the Government, as far as the soldiers and State officers were concerned. They did the best they could.

Senator FALL. They did the best they could?

Mr. TIGNER. Yes, sir; they aided me the best they could.

Senator FALL. I meant no reflection on either the local officers or the military officers. That is all, I believe.

(The committee then, at 11.45 o'clock a. m., adjourned to meet at 2 o'clock p. m.)

#### AFTER RECESS.

The subcommittee met pursuant to recess.

Present: Senator A. B. Fall and Dan M. Jackson, Esq., clerk of the subcommittee.

#### TESTIMONY OF MR. SAM H. NEILL.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. Mr. Neill, are you a citizen of the United States?

Mr. NEILL. Yes, sir.

Senator FALL. Of what State are you a native?

Mr. NEILL. Texas.

Senator FALL. Where do you reside?

Mr. NEILL. Marfa.

Senator FALL. What is your business?

Mr. NEILL. In the ranger service.

Senator FALL. How long have you been in the ranger service?

Mr. NEILL. About two years now.

Senator FALL. What was your business prior to that?

Mr. NEILL. Customs Service.

Senator FALL. How long were you in the Customs Service?

Mr. NEILL. Pretty near four years.

Senator FALL. Where were you located in the performance of your duties in the Customs Service?

Mr. NEILL. Well, in the Big Bend district.

Senator FALL. Where have your duties as ranger carried you during the last two years principally?

Mr. NEILL. Why, it has been in the Big Bend District between—I have been lower down than Polvo, and up as far as what is known as Pilares.

Senator FALL. Do you know the country in the Big Bend District on this side of the international line, that is, in Texas, thoroughly?

Mr. NEILL. Yes, sir.

Senator FALL. Do you know the people living in that district?

Mr. NEILL. Yes, sir. On this side?

Senator FALL. Yes, sir; on this side.

Mr. NEILL. Yes, sir.

Senator FALL. What has been the condition on this side during the last five or six years as to law and order, or violence and disorder?

Mr. NEILL. It has been mighty bad.

Senator FALL. In your official—in the performance of your official duties, have you, as a peace officer and as a customs inspector, have you had your attention called personally to specific instances of violence in that district?

Mr. NEILL. Yes, sir.

Senator FALL. I will ask you if you know the Brite ranch?

Mr. NEILL. Yes, sir.

Senator FALL. Where is the Brite ranch?

Mr. NEILL. Right south of Valentine, 18 miles, in Presidio County.

Senator FALL. Do you recall any act of violence at the Brite ranch within recent years?

Mr. NEILL. Yes, sir.

Senator FALL. When was it?

Mr. NEILL. In 1917, on Christmas night.

Senator FALL. Where were you at that time?

Mr. NEILL. I was there at the ranch.

Senator FALL. How far is that ranch from the international boundary line?

Mr. NEILL. It is about 20 miles—25 miles.

Senator FALL. From the boundary?

Mr. NEILL. Yes, sir.

Senator FALL. What were you doing there at that time?

Mr. NEILL. I went out there to spend Christmas with my daughter-in-law and my son.

Senator FALL. What was your occupation at that particular time?

Mr. NEILL. Well, right at that very time I wasn't doing anything; I hadn't for four or five days. Mr. Jackson knows I came up about two days later and was sworn in the customs service.

Senator FALL. You had gotten out and went back?

Mr. NEILL. I was just out a few days.

Senator FALL. What occurred there on Christmas Day while you were there?

Mr. NEILL. Why, on Christmas morning the place was surrounded when we got up, by a bunch of bandits.

Senator FALL. Tell the story in your own way, go right ahead and tell us exactly what occurred in your own language, without my asking questions.

Mr. NEILL. Well, I got up that morning; the women folks claimed they wanted to get up early, so I have always been an early riser, and I got up and went into the kitchen for my coffee; my breakfast was always coffee, that is all I ever eat, and started me a pot of coffee, and I came back in his room, my son's room, to make a fire. They had no kindling—we were then surrounded by these fellows, but I didn't know—I take the basket and went to the woodpile, about 60 yards from the house, and got the kindling and made the fire. I went back to the woodpile again and got other kindling and made one in my wife's room.

Senator FALL. You were not disturbed?

Mr. NEILL. Not bothered at all; they allowed me to get out.

Senator FALL. You didn't see anyone?

Mr. NEILL. I didn't see no one; I was not dreaming of anything.

Senator FALL. You say the women told you they wanted to get up early; were there any children in the house?

Mr. NEILL. Yes, sir.

Senator FALL. About how many?

Mr. NEILL. Five.

Senator FALL. They were going to celebrate Christmas Day?

Mr. NEILL. Christmas Day. They fixed up their little old Christmas tree that night.

Senator FALL. They had fixed up the Christmas tree the night before?

Mr. NEILL. The night before.

Senator FALL. And were going to celebrate Christmas Day with the children, and wanted an early start?

Mr. NEILL. Yes, sir. When I got back to the kitchen the coffee was ready, the cook had come in and fixed a cup of coffee. I turned from the stove and set in the window drinking the coffee, when I looked down the Candelaria Road, coming from the river, and I saw six men abreast, riding fast. I looked at them for a few seconds and I called her attention to it, and she looked and stepped back a moment and says, "What can that be?" I says, "I don't know." As they come around two big circular tanks, about 300 yards long—

Senator FALL. Dirt tanks?

Mr. NEILL. Yes, sir. As they come around below the lower tank I saw them reach and pull their guns. I dropped the cup and saucer and run through his room.

Senator FALL. Your son's?

Mr. NEILL. Yes, sir. He was still in bed; I hollered and says, "We are surrounded by bandits and have got to fight." I doubled in my wife's room and got a gun, a six-shooter—

Senator FALL. You mean your rifle?

Mr. NEILL. Yes, sir. And as I got out in the corner of the yard—this Mexican that hollered what he did—he hollered in Spanish, of course, he hollered to his men—that was the first I knew there were any others there—and jerked his horse up, and he hollered at his men to kill all the Americans. And as he said it, I shot, and he didn't, of course, holler no more.

Senator FALL. Did you shoot up in the air?

Mr. NEILL. No. They just rode up—

Senator FALL. You shot at him?

Mr. NEILL. I shot at him. When he hollered that they jumped from behind the walls and tank dumps like a bunch of quail flushed from behind adobe walls. Everything except a big shed is adobe walls, even the corrals.

Senator FALL. And from behind the tank embankments?

Mr. NEILL. Yes, sir.

Senator FALL. About how many were there?

Mr. NEILL. The best I could figure, about 45. That is, we counted them as they rode away from the store and we counted 30 that rode off from the store. When the shot was fired it sounded like it busted, everyone shot.

Senator FALL. It sounded like the earth had burst?

Mr. NEILL. I thought so, at least from the way the bullets were whizzing. I fought them from the corner of the house. I only got in three shots until I was knocked down.

Senator FALL. How were you knocked down?

Mr. NEILL. By a bullet.

Senator FALL. Where did it hit you?

Mr. NEILL. Across the nose, you can see the sign of it. I didn't try to get to fight any more; I made a dive for the corner of the house and fought them from that corner until they finally was cutting off on me and I had to quit and I got inside. After we had whipped them to where we couldn't see nothing to shoot at any more; they wasn't shooting, of course, because they were afraid to stick their heads out from any place. There was two Mexicans that went out to milk when I went into the kitchen; they come in for vessels and went out to the cowpen to milk. There is an adobe house that made one corner of the fence—that is the wall they walked behind, this house—and these fellows were in there and this six hadn't made their appearance yet; they knew nothing about anybody there. They captured these two boys that milked and done the chores around the ranch and held them until after they seen that they couldn't whip us, or thought that, and they sent one of them in the house and asked us to surrender. We told them no, it was a fight to a finish. We knew or thought what they would do with us if we did surrender, and



they said if we didn't surrender they would bomb the house. We told them to tell them to fly at it and we got all that jumped from behind the house.

Senator FALL. You told them to fly at it?

Mr. NEILL. Yes, sir. They sent word and told us, told him to tell us, if we wouldn't shoot more they wouldn't; all they wanted was the saddle horses and to get in the store. We wasn't going to do that. My wife put in and advised him—he was foreman of the ranch, had been for the last 16 or 17 years—she told him, "There ain't but two of you boys and lots of them, they will get you after a while; you better agree to that." He finally did, and no more shooting took place at the house. But during that time, while they were in the store, they had out sentinels, two Mexicans, that were behind a tank dump about a quarter of a mile from the house on the Candelaria Road, the way the stage run, and Mickey Welsh come along with two Mexican passengers and they shot at them.

Senator FALL. Two Mexicans?

Mr. NEILL. Yes, sir.

Senator FALL. They killed the Mexicans?

Mr. NEILL. Yes, sir. They brought him to the store; he sat in the hack about two hours; they were there five and a half hours. They finally taken him inside, but we never dreamt of his being killed until after they had gone.

Senator FALL. How far was the store from where you were, and the house?

Mr. NEILL. About 150 yards. And they taken him inside and hung him and cut his throat. When we got help the Mexicans were about 2½ miles from the ranch.

Senator FALL. Leaving?

Mr. NEILL. Just hitting the foot of the mountains.

Senator FALL. Now, Mr. Neill, you say that—you used the word "we" several times, plural; who do you mean?

Mr. NEILL. Me and my son—only two there, Van Neill—T. T. Neill.

Senator FALL. Your son, T. T. Neill?

Mr. NEILL. Yes, sir.

Senator FALL. Where was he while you were outside?

Mr. NEILL. He had three rooms to watch to keep them out of the house, and I had five—two on the south side and three on the north side. He was in this room with his family and mine; of course, most of his time fighting through the window.

Senator FALL. Shooting through the window?

Mr. NEILL. Yes, sir.

Senator FALL. About how long did this shooting between your son and yourself, on the one side, and these Mexicans upon the other, continue?

Mr. NEILL. It lasted about 30 minutes; maybe longer.

Senator FALL. Now, was it during the firing—the shooting between yourself and the Mexicans—that this hack drove up, or after the armistice was declared?

Mr. NEILL. After we had done compromised with them, that the shooting took place on the road below the ranch.

Senator FALL. And they stayed around there four or five hours?

Mr. NEILL. They were there, from the time we knew anything about them being there, five and a half hours.

Senator FALL. What did they do, if anything, besides murder Welsh in his store?

Mr. NEILL. It was the worst tore up place you ever saw; they packed off everything they could. They packed out lots of stuff they never did get on the pack mules or horses at all.

Senator FALL. Why?

Mr. NEILL. They just couldn't pack all they got. I got it and put it in sacks. They just couldn't get it on the mules and horses they had.

Senator FALL. Were you wounded again at all during the fight?

Mr. NEILL. I was shot through this leg slightly.

Senator FALL. The right leg?

Mr. NEILL. Yes, sir.

Senator FALL. Was your son wounded?

Mr. NEILL. No, sir.

Senator FALL. What happened to any of these Mexicans?

Mr. NEILL. Well, we punished them all we could is all I can tell you.

Senator FALL. Well, about what did that punishment consist in, as near as you can figure it out?

Mr. NEILL. Well, I couldn't say. The first shot I shot I killed the one that I shot at. He was right agin the yard fence, and he was a Carrancista captain, recognized by half a dozen people in Marfa. They were whipped by the Villistas at the time at Ojinaga and taken to Marfa by the troops.

Senator FALL. By our troops?

Mr. NEILL. And transferred up here and put into Juarez. Part went through and into the outlaw bunch and made that raid.

Senator FALL. Let's see if we catch that. That was a Carrancista captain, and at least some of his men were Carranza soldiers, whipped out of Mexico by Villa at Ojinaga?

Mr. NEILL. Yes, sir.

Senator FALL. They took refuge on this side to secure themselves from Villa?

Mr. NEILL. Yes, sir; when they came over they were whipped over.

Senator FALL. They took refuge with the American military forces, who protected them and brought them to El Paso?

Mr. NEILL. Yes, sir.

Senator FALL. And turned them loose here and allowed them to go across to Juarez, which was Carranza territory at that time?

Mr. NEILL. Yes, sir.

Senator FALL. And from there they made their way back toward Ojinaga, and the same people were those who made the attack, or some of the same people?

Mr. NEILL. Some of the same.

Senator FALL. Including the captain you killed, some of the same people brought through this country, released and turned back, and came back and killed Welsh and engaged in this fight with you?

Mr. NEILL. Yes, sir.

Senator FALL. Were there any other Mexicans killed, do you think?

Mr. NEILL. Why, I couldn't say. There was quite a number packed off; they might have been just wounded.

Senator FALL. How many were packed off?

Mr. NEILL. Well, there was four that—we had no time—the postmaster that was there—I said there were only two, which there was, because he never interfered at all; he said it looked more like a moving picture to him than anything else.

Senator FALL. Where was he?

Mr. NEILL. He was in a house built close to the store.

Senator FALL. He didn't engage in the fight?

Mr. NEILL. No, sir; he had a good rifle, and a good shot, and plenty of ammunition, and his wife and little boy in the house with him. They were with their backs to him and he could shoot in the bunch after we whipped them. He and his wife is the ones that was—that seen and told about how many were packed away.

Senator FALL. They said there were four?

Mr. NEILL. There were four packed off from there. And there was from one to two men with each man that was packed off, except one, he was just strapped on the horse like a dead hog; that is the man we found; the captain. He is the only one we did find.

Senator FALL. He was found how far from the ranch?

Mr. NEILL. About two miles and a half.

Senator FALL. Partly buried?

Mr. NEILL. Yes, sir.

Senator FALL. He was the man that had on the Carranza coat?

Mr. NEILL. Yes, sir. They had their bugler with them.

Senator FALL. Did he sound the bugle?

Mr. NEILL. No; we didn't give him time.

Senator FALL. How is that?

Mr. NEILL. We didn't give him time to blow any bugle, after we found they were there.

Senator FALL. And this gentleman who saw it thought it was a kind of moving picture?

Mr. NEILL. Yes; he said it looked more like that than anything else he compared it to.

Senator FALL. How did it strike you during those 30 minutes?

Mr. NEILL. Well, it was pretty squally, the way I looked at it. That is a little bit the closest place I have ever been in.

Senator FALL. Well, now, when they finally left, this band finally left, where did they go?

Mr. NEILL. Right straight back over the mountain, as Webb testified this morning; right where they came over the mountain.

Senator FALL. Going back toward the international boundary line?

Mr. NEILL. Yes, sir.

Senator FALL. Were they followed?

Mr. NEILL. Yes, sir.

Senator FALL. Who followed them?

Mr. NEILL. Troops from Marfa. Mr. Webb, as he testified this morning, he was a guide and the trailer that followed. Several others, civilians that went with them, followed them across the river.

Senator FALL. You didn't go across the river?

Mr. NEILL. No, sir; I was a little bit sore; I didn't want to ride.

Senator FALL. What about their horses—did they get the horses?

Mr. NEILL. Yes, sir.

Senator FALL. Made you agree to let them have the horses?

Mr. NEILL. They took these Mexicans they had prisoners—they captured; that worked on the ranch—and made them go with them to get the horses.

Senator FALL. How many horses did they get?

Mr. NEILL. Twenty some odd.

Senator FALL. Mostly saddle horses, or stock horses?

Mr. NEILL. Saddle horses.

Senator FALL. Were the horses ever recovered?

Mr. NEILL. No, sir; the horses and mules. I saw one of the horses on the 1st.

Senator FALL. The 1st of this month?

Mr. NEILL. Yes, sir.

Senator FALL. What kind?

Mr. NEILL. A big white horse, one of Mr. Brite's main saddle horses.

Senator FALL. You knew the horse?

Mr. NEILL. I certainly did, I rode him two years. When the river is down, in the channel the water isn't over 25 steps wide, and on the 1st of each month at Candelaria, or Ruidosa, they open the port for the Mexicans to buy stuff, and at Candelaria on the 2d. This Mexican rode on the sandbar with a gun in his hand, riding this horse. I spoke to O. C. about it—O. C. Baldwin.

Senator FALL. He came on the other side?

Mr. NEILL. Yes, sir.

Senator FALL. He didn't cross the 25 feet of water?

Mr. NEILL. No; I wish he had.

Senator FALL. Do you know of any other disturbances of any kind that occurred in that country at any time?

Mr. NEILL. Yes, sir. Mr. King testified this morning about that racket they had at Baldwin's.

Senator FALL. When was that?

Mr. NEILL. That was along last month.

Senator FALL. That was the testimony Mr. King gave as to the occurrence last month?

Mr. NEILL. Yes, sir.

Senator FALL. They robbed the Baldwin's store?

Mr. NEILL. Yes, sir.

Senator FALL. Did anybody follow them across the river?

Mr. NEILL. No, sir.

Senator FALL. Why, do you know?

Mr. NEILL. Why, the soldiers didn't go; there were only three of us.

Senator FALL. You had no authority to go?

Mr. NEILL. No authority to go; no, sir.

Senator FALL. Why didn't the soldiers go, do you know?

Mr. NEILL. Why, through orders from the colonel that they didn't go.

Senator FALL. Was the colonel approached by anyone upon the subject of their going?

Mr. NEILL. He was phoned to.

Senator FALL. Who was the colonel?

Mr. NEILL. Col. Hornbrook. I went down with Maj. Ringling and 10 men myself. They phoned us from Indio to come at once, and we went.

Senator FALL. You just got to the river?

Mr. NEILL. I am right on the bank of the river; I went right down. Mr. Baldwin's place is on the river.

Senator FALL. Is Maj. Ringling in the Regular Army?

Mr. NEILL. Yes, sir.

Senator FALL. The 10 men were soldiers?

Mr. NEILL. Yes, sir; stationed at Ruidosa, 200 yards the camp is to our camp.

Senator FALL. That is, of the ranger camp?

Mr. NEILL. Yes, sir.

Senator FALL. And the major and his 10 men didn't cross the river?

Mr. NEILL. No, sir.

Senator FALL. You say the colonel was telephoned to for permission to cross?

Mr. NEILL. The major telephoned, and I think so did Capt. McCauley, from Indio. I think both were talking to him.

Senator FALL. Where were these men that had committed that robbery at that time; if you know?

Mr. NEILL. They were just across the river, not over 400 yards from us.

Senator FALL. Could you see them?

Mr. NEILL. Yes, sir; around some little jacals over there, Mexican shacks.

Senator FALL. There have been a good many occurrences of somewhat similar character, that is, robbery, looting, and driving off cattle, etc., for the last four years particularly; have there not?

Mr. NEILL. Yes, sir.

Senator FALL. Do you know any of the Mexican authorities on the other side of the river?

Mr. NEILL. No, sir. Oh, I know a few of them; yes.

Senator FALL. Do you know who claims jurisdiction of that country there?

Mr. NEILL. Yes, sir.

Senator FALL. Is it Villa?

Mr. NEILL. No; it is Carranza.

Senator FALL. And the soldiers who are over there on the Mexican side; are they Carranza soldiers?

Mr. NEILL. Now you have got me; I couldn't tell you whether they are Carranza or Villistas or a bunch of bandits; they are all just the same as one.

Senator FALL. They call themselves, however, what?

Mr. NEILL. Carrancistas.

Senator FALL. Have you ever had any assistance from the Carrancistas, either civil or military authorities, in preserving order along that border?

Mr. NEILL. No, sir.

Senator FALL. Have the rangers ever been able to secure the delivery to them of any men who were wanted on this side?

Mr. NEILL. Not a one.

Senator FALL. Have the stock which have been stolen been returned by the Carrancista authorities to their owners on this side, or to anyone?

Mr. NEILL. No, sir. They followed them several times and took them away from them.

Senator FALL. You mean people followed from this side to Mexico, and they took them away from them?

Mr. NEILL. Yes, sir.

Senator FALL. Who do you mean?

Mr. NEILL. The citizens and the people that lost them, and our soldiers.

Senator FALL. What soldiers were most active in following, or have followed Mexicans, in the Big Bend district, across the river?

Mr. NEILL. There hasn't been any following since Col. Langhorne was there.

Senator FALL. How long was Col. Langhorne there, about, do you know?

Mr. NEILL. No, I couldn't say.

Senator FALL. Do you know how many times he followed Mexicans across into Mexico to recover stolen property, at this time?

Mr. NEILL. I think as Mr. Tigner testified this morning about them going over, a bunch of Eulalio Nunez's cattle taken over that they followed and got back, and then the horses taken from Mr. Brite's ranch, they never were gotten back.

Senator FALL. Did the soldiers follow them?

Mr. NEILL. Yes, sir. Then the custom men's horses were taken.

Senator FALL. The soldiers followed them?

Mr. NEILL. No sir; nobody followed them.

Senator FALL. You spoke of the Eulalio Nunez theft; when did that occur?

Mr. NEILL. That has been about a year ago.

Senator FALL. The soldiers followed the trail and secured all or part of the cattle?

Mr. NEILL. Yes, sir.

Senator FALL. As a matter of fact—

Mr. NEILL. They got all except one cow; they were butchering the cow, I think, when the boys came on them.

Senator FALL. As a matter of fact, Col. Langhorne's command had gone across the river, during the time he was occupying the Big Bend country, some seven times, had they not?

Mr. NEILL. They have crossed I couldn't say exactly how many times.

Senator FALL. Several times, at any rate?

Mr. NEILL. Yes, sir.

Senator FALL. Did they ever fail to cross during that time, when the bandits who had committed the depredations were still in sight?

Mr. NEILL. Any time they done anything at all, they would follow them. All they wanted was a trail to follow on, and across the river they would go.

Senator FALL. You don't know why there has been any change of policy in that matter?

Mr. NEILL. No, sir.

Senator FALL. Who is the Carrancista commander, or the most active man down there, operating on the Mexican side of the river?

Mr. NEILL. Why, I couldn't say. The most noted man they have got is Chico Cano.

Senator FALL. You have heard of his activities a good many times?

Mr. NEILL. Yes, and I know him.

Senator FALL. He wasn't at the Brite raid, was he?

Mr. NEILL. I couldn't say. I never recognized but one man, and he hollered to me from the house after the shooting; his name was Calanche, a boy raised on this side.

Senator FALL. You understand Spanish, do you?

Mr. NEILL. Yes, sir.

Senator FALL. How old are you, Mr. Neill?

Mr. NEILL. Well, sir, I am going on 65 years.

Senator FALL. Born in Texas?

Mr. NEILL. Born in Texas.

Senator FALL. Had some experience in Texas?

Mr. NEILL. Quite a lot; yes, sir. I landed on the border in 1873.

Senator FALL. The international border?

Mr. NEILL. Yes, sir. I am living now about as far from it as I have been since that time.

Senator FALL. You knew something about the conditions along the border from 1873 to 1878 and 1879, I presume?

Mr. NEILL. Oh, yes.

Senator FALL. That is before Diaz was recognized by this Government. Conditions were very much disturbed at that time?

Mr. NEILL. Well, it wasn't as bad as it is now.

Senator FALL. From your experience, 65 years in Texas, as a frontiersman and peace officer and in the service of the United States, how do the conditions in the Big Bend district or along the international border compare as to disturbances, or as to safety, we will say, of the lives and property of citizens on this side, with any other conditions you have ever known?

Mr. NEILL. They are just a whole lot worse.

Senator FALL. Worse?

Mr. NEILL. Worse now than when we used to contend with the Comanches every light moon. We knew what we were going up against when we seen a bunch of Comanches; there were two things to do, fight or run. You meet a bunch of Mexicans and you don't know what you are going up against; whether they are civilized or not. That is the way I look at it.

Senator FALL. From your experience, you can't distinguish, in so far as the liability to commit acts of violence or disturbance of the peace; you can't distinguish between the Carrancistas and members of any other Mexican faction?

Mr. NEILL. No, sir; I can't. They make any sort of promises. The stock on the opposite side of the river, like I seen this horse, they talked to Captain—a Mexican captain. Carrancista captain: Maj. Ringling sent for him and he came and talked to us.

Senator FALL. At this Baldwin—

Mr. NEILL. No; at the Ruidosa, where I am stationed.

Senator FALL. Prior to the Baldwin robbery?

Mr. NEILL. And made us all sorts of promises; that he was going to return that stock right back.

Senator FALL. American stock on the other side?

Mr. NEILL. Yes, sir. And we have never got it back yet or never got to talk to him since.

Senator FALL. Then, if conditions as to peace and order in the interior of Mexico have very materially improved recently, such improvement has not reached the border, in so far as you know?

Mr. NEILL. No, sir.

Senator FALL. It hasn't extended, at any rate, across the international border?

Mr. NEILL. No, sir. Now, Christmas night, this last Christmas night, myself and a scout for the Government there and Maj. Ringling and eight men went down; when we got near to a Mexican dance to be on this side, and as we got up to the house—we left our horses back—three Mexicans from yon side of the river come riding facing of us, everyone with his gun in his hand, his rifle.

Senator FALL. In his hand, not in the scabbard?

Mr. NEILL. No, sir; in his hand. Some little Mexican boys told us they had been riding around the house quite a little. They never got off the horses to go in; they whirled and run from us. The major split his men and sent four on one side and four on the other, and the major and myself and the scout went to the house, and as they seen us they broke to run. They didn't run over 15 steps, and there was four soldiers they hollered to them to halt, and they wouldn't. They begin to shoot and killed one horse and one man.

Senator FALL. That was on——

Mr. NEILL. Christmas night.

Senator FALL. December 25, 1919?

Mr. NEILL. 1920—1919; yes.

Senator FALL. So that you were compelled to be on guard or watch all the time to protect yourself and protect the American citizens in that district?

Mr. NEILL. Certainly.

Senator FALL. Suppose that United States troops were removed from there?

Mr. NEILL. Why, the people would have to leave there; that is all.

Senator FALL. The American citizens would have to leave?

Mr. NEILL. Leave or get together and go over and whip them, that is all. Run them out of the country, would be the only way they could stay.

Senator FALL. But the United States Government won't allow the citizens to go over?

Mr. NEILL. Just one time they let them go; that is the first time and chance they have had since Col. Hornbrook has been there.

Senator FALL. Do you know, Mr. Neill, that there has been an attempt on the part of some parties to show that American citizens from this side have been engaged in raiding and looting and robbing, etc., on the other side of the river?

Mr. NEILL. I haven't heard that.

Senator FALL. Now, as a matter of fact, in your experience, for the last 10 years particularly, as an officer or as an official along the border, have you ever known of an instance in which American citizens or others from this side have gone across the international boundary to commit any possible depredation or theft or act of violence on the other side?



Mr. NEILL. No, sir.

Senator FALL. Certainly, if anything of that kind had occurred in your district, you would have known something about it?

Mr. NEILL. I certainly would.

Senator FALL. And through your position as a Texas ranger, if such occurrence had happened at any other point along the border, you would have known of it?

Mr. NEILL. It looks like I would have heard of it; yes.

Senator FALL. Get back a moment to the Brite raid. When they drove off these horses, after they made the compromise with you, do you know whether any of those horses have been recovered in any way?

Mr. NEILL. Yes, sir; they brought back three or four after that fight; the next day after that raid, they brought them back. That is, the civilians and the soldiers that went across.

Senator FALL. But the Mexicans on the other side, have they ever restored those or any other cattle or horses, that you know of?

Mr. NEILL. No, sir.

Senator FALL. The secretary informs me that we have no other witness who desires to testify publicly to-day. The committee will be in recess until 10.30 to-morrow morning.

(The committee then, at 3.15 o'clock p. m., adjourned to meet at 10.30 o'clock a. m., Friday, Feb. 6, 1920.)

# INVESTIGATION OF MEXICAN AFFAIRS.

FRIDAY, FEBRUARY 6, 1920.

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,  
*El Paso, Tex.*

The subcommittee met pursuant to the call of the chairman at 10.30 o'clock a. m., in the county courtroom, courthouse, El Paso. Tex., Senator A. B. Fall, presiding.

Present: Senator A. B. Fall and Senator Marcus A. Smith, and Dan M. Jackson, esq., clerk of the subcommittee.

Senator FALL. Mr. Secretary, attention has been called to what purports to be an Associated Press dispatch published in the Morning Times, following an account of the testimony taken by this committee yesterday, which I will ask you to read for the record.

(The secretary then read said statement, which is as follows:)

FALL AND SMITH THREATEN MEXICANS, PAPER CHARGES.

[By Associated Press.]

DOUGLAS, ARIZ., February 5.

Charges that Senators Fall and Smith of the Senate subcommittee investigating Mexican affairs are menacing Mexicans with jail unless they give testimony are made in a news message from Mexico City, published by Orientacion, a Hermosillo, Sonora, newspaper. The article says:

"Urgent telegrams received from San Antonio, Tex., make known the fact that Senators Fall and Smith are exercising extraordinary pressure against Mexican citizens, resident in that city, in order to get them to appear before the Senate subcommittee and menacing them with terms in the jail if they refuse to testify.

"The ex-colonels, Pedro Chapa and Manuel Rodriguez, have telegraphed that they, after weighing the menaces of the pressure that has been brought against them, have refused to testify. Our Government claims guaranties for Mexican citizens against such modes of annoyances as they are subjected to in the United States. Senator Fall insists upon declaring that President Carranza has formed a plot for an attack upon the United States."

Senator FALL. That last sentence is not denied by Senator Fall, containing statement in reference to Mr. Carranza.

No subpoenas have been issued by this committee for any Mexican witness or citizen. Various Mexican citizens have been notified that if they desired to appear before this committee they would be heard without reference to any facts which they might desire to present. In the hearing at San Antonio, or just prior to the hearing, two Mexicans notified the special officer of this committee that they desired to appear before the committee and make a statement as to their losses and outrages perpetrated upon them, etc., in Mexico. They were later notified by the special officer that if they desired to appear they

might do so, and if they desired, for their protection, to have subpoenas issued for them, the committee would issue subpoenas. For one reason or another, which the committee can not explain, they stated they preferred not to make a statement, and they were not even brought to San Antonio. No subpoena was issued and no attempt was made to take such testimony.

As to this Col. Chapa, mentioned in the article, we have before us an article written by Col. Chapa, very abusive to the United States, and published in a Matamoros Spanish paper, under date of September 30, 1915, a translation of which the committee will have made and inserted in the record at this place.

(Said translation is as follows:)

[Translation from *El Democrata*, Matamoros, Sept. 30, 1915.]

*The yellow gossip.*—The American press was the creator of yellow journalism. Among the cultured nations of old Europe the development of the literary fraud has been an almost complete failure. The dailies of Paris, for example, which are noted for their seriousness, such as *Le Temps*, *Figaro*, *Journal des Debats*, etc., have watched the appearances among them as a leper such organs of American flavor as *Le Matin* and *Le Journal*, whose only goal is sensationalism at the price of truth and servility to money.

The newspaper men of Yankee Land are able masters in the handling of sensationalism and the canard and for that reason the American people, whose scant education is made up essentially of the juices of the daily papers, has such erroneous encyclopedic ideas.

Ask a Yankee about Mexico and its present situation and you will realize his superficial and false ideas. Add to this the superb attitude for contempt which they harbor for everything that is Mexican and you will be able to understand the point of view from which they consider us.

Some one has classified writers in three groups: Those who think before they write; those that think as they write; and those that think after they have written; now, a new group has appeared, those who write and think neither before, at the time, nor afterwards, and to this group belong the American editorial writers. The Brownsville Herald in its number of yesterday contained an editorial in which it attacks General of the Brigade Emiliano P. Nafarrate, commander of the border. It ascertains that he is the only person responsible for the skirmishes which have taken place on the banks of the Rio Bravo. No one better than the Herald knows how false and criminal its statements are, and if it had any honor, instead of this of calumnies which make up its editorial it would have presented the facts in their naked truth. The uprising of the State of Texas and the battles which it has fought are the results of an era of oppressions during which the citizens of that State, of Mexican origin, have suffered all manner of indignities. They have been humiliated, they have been robbed, and they have been assassinated in that country which they call "The Land of the Free." The Mexican authorities decided to remain neutral and respect international laws and to permit the passage of Texas revolutionists to our territory, and for that reason they accepted the suggestions of the American authorities and agreed to cooperate for the subservience of the frontier.

What has been the reward of this Mexican courtesy?

American soldiers have fired on our detachments and killed and wounded our soldiers, who in spite of this criminal attack, and obeying superior orders to fire on American territory under no circumstances, have held their position under the Yankee fire.

This is not a suspicion their unquestionable proofs against the country. On the 17th of this month Col. Pedro A. Chapa took the American consul of this city to make an inspection of the place where these things took place, and they arrived at the exact moment when the firing was suspended and when the American cavalry were retiring. They examined carbines of our soldiers and they were cold they hunted for the fired cartridges and there were none found; one of our men was picked up wounded from a pool of blood in the place where the first American volley was fired found him.

A few steps from the edge of the river there is an embankment against floods and had our soldiers been the assailants they would have intrenched

themselves behind this improvised breastwork and the loss would have been on the American side. These and many other facts convinced the consulate that the fault lay with the soldiers of his country. The same instances have been repeated at intervals along the whole frontier. We have had to lament the death of our soldiers and this has been the reward for the good faith of Gen. Nafarrate when he compromised himself with the American authorities out of courtesy to collaborate with them in watching the frontier.

To-day Gen. Obregon, commander of the army of the north, has ordered Gen. Nafarrate to concentrate his troops in the towns and to abandon the patrol of the river, although this is injurious to us, since smuggling will enjoy an open field.

The American in view of our attitude states that in case the Texas revolutionists cross to Mexico they will pursue them on to our soil.

Has such uncommon insolence ever been seen before? How lightly they consider the violation of our territory! Have we ever attempted to pursue our enemy when he passed into foreign territory?

Let them come to this side to pursue our enemy and we will go to Fort Bliss to get Huerta, Raul Madero, and other traitors who have found refuge beyond the Bravo.

And let the American people discontinue to believe in our impotence. Let "the yellow press" go on with its awful task.

PEDRO DE ALVARADO.

(Editorial column of the same paper contains the following:)

#### DISTINGUISHED VISITOR.

The colonel and journalist, Don Pedro A. Chapa, whose celebrated nom de plume in the journalistic world is Pedro de Alvarado, is with us. Col. Chapa was the commander at Matamoros and afterwards deputy to the Congress of Union.

Senator FALL. The committee will have now inserted in the record, after this translation, a letter written from San Antonio, under date of January 27, 1920, to Col. Chapa, the man referred to, which the secretary will now read:

(Here the secretary read the following letter:)

SAN ANTONIO, TEX., *January 27, 1920.*

Col. PEDRO CHAPA,  
*Brooksville, Tex.*

My DEAR COLONEL: There has been forwarded me from Mexico a clipping from *El Democrata* under date of September 30, 1915, published in Matamoros, Mexico, entitled "El Galeoto Amarillo," and signed by Pedro de Alvarado, your nom de plume. I note that you accompanied the American consul up the river, etc., in fact there are several very interesting incidents mentioned in this clipping, and in all probability it will be necessary for you to appear before the committee later on to substantiate your statements; therefore will suggest that you assemble your evidence, in order that you can substantiate your statements in this before-mentioned article.

Of the date you will be called to appear, will be decided by the committee at their El Paso sessions beginning there in a few days, and I will let you know, so as not to inconvenience you. In all probability the committee will call you upon their return from its western trip, which will be probably the latter part of February, or they may call you sooner. I will thank you to advise me by return mail, if you wrote this article, and have proof to establish your statements. Your connection with the plan of San Diego will also be gone into, as evidence was produced that you had knowledge of it and this article seems to prove that you did.

I trust this will not inconvenience you, and that you will not fail to assemble all your proofs, for we do not wish to only give one side of this matter, and want all sides represented, and if our soldiers or citizens were to blame we want to know it. This investigation is being made on the square and we want all the information we can procure of a reliable nature, and want facts based on positive proof.

Sincerely yours,

W. M. HANSON,  
*Post Office Box 448, San Antonio, Tex.*

Senator FALL. In conclusion, the chairman desires to state the committee has no doubt whatever of their authority to enforce the presence of any witness before this committee, and to have such witness punished in event of refusing to so appear, whether such witness be a Mexican citizen or an American citizen. Col. Chapa was in San Antonio in attendance upon some of the hearings of this committee, and was met by a representative of this committee, stating he could testify if he wanted to, but could exercise his own judgment. No subpoena was ever issued for him, the committee was fairly well informed as to Col. Chapa and his activities from other sources.

The committee would not dignify, ordinarily, any newspaper story of this kind, but in this case, as one of the greatest, if not the greatest news-gathering agencies of the United States has seen fit to send this statement out, it was thought best to set at rest, once for all, such rumors as are coming out of Mexico. If the Associated Press desires any information from the committee at any time in reference to the truth or falsity of any such statement, all it has to do is to apply to the committee for such information.

### TESTIMONY OF MR. O. C. DOWE.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. Are you a citizen of the United States?

Mr. DOWE. Yes, sir.

Senator FALL. A native of what State?

Mr. DOWE. Texas.

Senator FALL. Where do you live?

Mr. DOWE. Why, at the present I am in Presidio County, about 12 miles from the Rio Grande.

Senator FALL. The Rio Grande is the international boundary between Mexico and this country at that point?

Mr. DOWE. Yes, sir.

Senator FALL. What is your business?

Mr. DOWE. Why, I am in the Government service, Customs Service, mounted inspector of customs, and I have a little ranch down in that country.

Senator FALL. Your business carries you in what is known as the Big Bend district?

Mr. DOWE. I am right about at the heart of the Big Bend district.

Senator FALL. In the State of Texas?

Mr. DOWE. Yes, sir; and been in the Customs Service between 12 and 13 years.

Senator FALL. Do you know anything about the theft of certain cattle known as the Nunez cattle from this side of the river?

Mr. DOWE. Yes, sir; the Nunez ranch adjoins me on the south, he is just below me, and I was there at the time, and with the posse that followed the cattle.

Senator FALL. About what time was that, Mr. Dowe?

Mr. DOWE. It was along in the last year some time.

Senator FALL. Well, approximately?

Mr. DOWE. Well, about April, I think, I am not right sure, somewhere along there, 1919.

Senator FALL. You say you were with the posse which followed these cattle thieves?

Mr. DOWE. Yes, sir; I did not go across the river, I got there too late, got there about dark; I went down to the river, and was there when the cattle was brought back. I was in Marfa at the time I got the wire, and did not get to the river in time.

Senator FALL. By whom were they brought back?

Mr. DOWE. Troop of the Eighth Cavalry; Capt. Kloetfer was in command.

Senator FALL. Did you ever hear of one Celso Telles?

Mr. DOWE. Yes, sir; I know him, but I took papers off of him that showed me he was a lieutenant colonel in the Carranza army.

Senator FALL. Where did you take these papers?

Mr. DOWE. Why, he was killed in Brewster County, right about the mouth of the Miravillas. We ran into him with a bunch of stolen cattle from the other side; he had smuggled them to this side, about 148 head. I had a bunch of Texas rangers and customs inspectors and a captain; they put up a fight; these two men were killed.

Senator FALL. About when was that?

Mr. DOWE. Seventh day of May, 1915, I believe; 1914 or 1915.

Senator FALL. You say you took some papers from the body of Telles?

Mr. DOWE. Yes, sir; he had receipts in his pocket showing he was Celso Telles, and that he was a lieutenant colonel in the Carranza army. Sheriff Walton, of Alpine——

Senator FALL. He was a lieutenant colonel in the Carranza army?

Mr. DOWE. Yes, sir.

Senator FALL. Who took the papers?

Mr. DOWE. Sheriff Walton, of Brewster County.

Senator FALL. Do you know where those papers are now?

Mr. DOWE. No, sir; I do not.

Senator FALL. They were in the sheriff's possession?

Mr. DOWE. Yes, sir; I saw the papers.

Senator FALL. You say the other man who was killed was a captain?

Mr. DOWE. He had no papers on him, but we learned from Mexico relatives of his he was a captain with this fellow.

Senator FALL. Do you know who signed the commission of Telles?

Mr. DOWE. No, sir; I don't know who did.

Senator FALL. You don't recall who issued the commission?

Mr. DOWE. No, sir.

Senator FALL. What has been the conditions along the border as you know them through your official duties and otherwise?

Mr. DOWE. I have worked from Eagle Pass to El Paso as a mounted inspector along the river, and the conditions have been bad and gradually getting worse all along. The bandits have crossed and stolen horses and cattle all along and raided ranches, and a good many times we have been fired on by Carranza soldiers on the other side—fired across the river. I had two inspectors, Joe Sitters and Jack Howard, both killed in the Big Bend country. I have lost horses and mules from my ranch. My ranch is only 12 miles from the border. I was at Brite ranch right after the raid; I was with the troop of Cavalry that followed them across the river, and at the Glenn Springs raid.

Senator FALL. In your judgment, what would happen in the Big Bend district to settlers and their property in the event United States troops were removed from that district?

Mr. DOWE. If the United States troops were removed and the ranchmen and rangers and the river guards did not have authority to follow them, we would have to move out.

Senator FALL. And you have no authority to follow them?

Mr. DOWE. No, sir; only to go with the troops.

Senator FALL. If the ranchers and rangers, or officers of the State of Texas and United States Government inspectors, had authority to follow these raiders what, in your judgment, would be the result?

Mr. DOWE. Why, I believe we could put it down. We would stop these little raids along there. Chico Cano has got about 35 bandits over there now, right across from my little ranch, and I understand he has been made what they call Juez de la Acordada, and he has authority to stand a man up and shoot him. He is one of the bandits that crossed on this side and killed Inspectors Hulen and Sitters. He has been a noted bandit there for the last 8 or 10 years.

Senator FALL. You say he has that authority; from whom has he that authority?

Mr. DOWE. He is working for the Carranza Government. He has a commission from the Carranza Government.

Senator FALL. Your judgment is, should the troops be removed and permission given to the citizens and rangers and customs inspectors to go across they could put an end to this violence?

Mr. DOWE. They could stop these little raids by these bandits; of course, if they sent a lot of those Carranza troops in there we might not be able to stop them.

Senator FALL. Then, if Mr. Carranza himself, with the troops he has there now, is not able to protect you, even if he left a certain number of troops there, you could protect yourselves if you had authority to go across?

Mr. DOWE. Yes, sir.

Senator FALL. If he is not able or not willing to do it——

Mr. DOWE. He is not willing.

Senator FALL. You people could do it?

Mr. DOWE. Yes, sir.

#### TESTIMONY OF MR. P. F. DYCHES.

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. Mr. Dyches, give us your full name, please, sir.

Mr. DYCHES. P. F. Dyches.

Senator FALL. Mr. Dyches, where do you live?

Mr. DYCHES. I am now stationed at Indio, Tex., on the Rio Grande River, in Presidio County.

Senator FALL. Are you a citizen of the United States?

Mr. DYCHES. Yes, sir.

Senator FALL. Native of what State?

Mr. DYCHES. Texas.

Senator FALL. What is your business?

Mr. DYCHES. I am a State Ranger of Texas.

Senator FALL. How long have you been in the ranger service?

Mr. DYCHES. Since the 15th day of December, 1919.

Senator FALL. What was your business prior to that time?

Mr. DYCHES. Stockman.

Senator FALL. Where did you live?

Mr. DYCHES. Well, I ran the Tigner ranch in Presidio County, known as the old El Tenados ranch, for a year, and also worked for a year in Presidio County at what is known as the Botella ranch, owned by Mr. W. T. Davis.

Senator FALL. Then you have lived and resided on or near the international boundary for some time?

Mr. DYCHES. Yes, sir.

Senator FALL. Both as an officer and stockman?

Mr. DYCHES. Yes, sir.

Senator FALL. Where were you on or about January 21 of this year?

Mr. DYCHES. I was at the D. T. Baldwin farm on the Rio Grande.

Senator FALL. What occurred if anything, at that farm at that time, or about that time?

Mr. DYCHES. On the 12th we captured Francisco Cacho, a Mexican that had come over and robbed with others the commissary of D. T. Baldwin.

Senator FALL. That was on the 12th?

Mr. DYCHES. Yes, sir.

Senator FALL. What date was the—what was the date of the robbery, was that on the 12th?

Mr. DYCHES. On New Year's night.

Senator FALL. Where did you capture Cacho?

Mr. DYCHES. Right near Mr. Baldwin's residence, or commissary.

Senator FALL. He was identified as one of the robbers?

Mr. DYCHES. Yes, sir; he was trying to get Mr. Baldwin out.

Senator FALL. You say he was trying to get Mr. Baldwin out; how do you mean; what was he doing?

Mr. DYCHES. He was trying to get him out to talk to him, he says; but a few days before that he had sent him a note stating if he did not send some stuff over; if he did not send it he would come back after it.

Senator FALL. What kind of stuff?

Mr. DYCHES. Stuff out of the commissary; tobacco and groceries.

Senator FALL. That is, he had sent word from Mexico to this side to send him some stuff out of the store?

Mr. DYCHES. Yes, sir.

Senator FALL. If he did not, he was coming after him?

Mr. DYCHES. If he did not, he was coming after him.

Senator FALL. Now, you say he did come, and was trying to get Mr. Baldwin out?

Mr. DYCHES. Yes, sir.

Senator FALL. What did he want to do?

Mr. DYCHES. He told me he wanted to talk to him, but he had a partner hid out below there in a ditch or hills with a rifle or six-shooter, also, and had a six-shooter himself, and he had his hand on his six-shooter when we captured him, trying to get Mr. Baldwin out; he told Mr. Baldwin he was not armed.



Senator FALL. He told Mr. Baldwin he was not armed?

Mr. DYCHES. Yes, sir.

Senator FALL. But he had his hand on his six-shooter?

Mr. DYCHES. Yes, sir.

Senator FALL. And there was another one down in the ditch somewhere with a six-shooter or rifle?

Mr. DYCHES. Yes, sir.

Senator FALL. What did you do with him when you captured him?

Mr. DYCHES. We disarmed him, handcuffed him, and started to Indio camp with him, and were overtaken by his partners; and after some little battle he escaped, and they did too. We turned them back after a fight.

Senator FALL. What date was that?

Mr. DYCHES. That was on the 12th.

Senator FALL. Twelfth of January?

Mr. DYCHES. Fifteen or twenty minutes after we captured Cacho—

Senator FALL. You started down the river with him?

Mr. DYCHES. Yes, sir.

Senator FALL. Were you headed off or followed?

Mr. DYCHES. Followed.

Senator FALL. By about how many men; do you know?

Mr. DYCHES. Six men.

Senator FALL. What happened?

Mr. DYCHES. They opened fire on us, and we returned the fire.

Senator FALL. From what distance did they open fire?

Mr. DYCHES. I judge, between four and five hundred yards.

Senator FALL. The prisoner, you say, was handcuffed?

Mr. DYCHES. Yes, sir.

Senator FALL. Was he on a horse?

Mr. DYCHES. Yes, sir.

Senator FALL. What happened to him?

Mr. DYCHES. Well, he dismounted and took to the river.

Senator FALL. While you were engaged in a fight with these would-be rescuers?

Mr. DYCHES. Yes, sir.

Senator FALL. How long did the fight last?

Mr. DYCHES. About 50 or 60 shots were fired by them.

Senator FALL. Where did the men that fired on you go, if you know?

Mr. DYCHES. They went back across the river.

Senator FALL. You stopped them, did you?

Mr. DYCHES. Yes, sir.

Senator FALL. They retreated and went across the river?

Mr. DYCHES. Yes, sir.

Senator FALL. Where are they now?

Mr. DYCHES. About a mile from Mr. D. T. Baldwin's place.

Senator FALL. On the opposite side of the river?

Mr. DYCHES. Yes, sir.

Senator FALL. Have the Mexican authorities made any attempt to secure them?

Mr. DYCHES. No, sir.

Senator FALL. Or turned them over to you?

Mr. DYCHES. No, sir.

Senator FALL. Where is your escaped prisoner; do you know?

Mr. DYCHES. He is now in Ojinaga with the Carranza soldiers.

Senator FALL. In Ojinaga now?

Mr. DYCHES. Yes, sir.

Senator FALL. With the Carranza army?

Mr. DYCHES. Yes, sir.

Senator FALL. Has there ever been assistance offered you or tendered you by the Carranza officials on the Mexican side of the river to prevent turbulence and violence and disorder on this side?

Mr. DYCHES. Nothing, only firing at us.

Senator FALL. They have fired at you more than once?

Mr. DYCHES. They have fired three or four times at us.

Senator FALL. From across the river?

Mr. DYCHES. Yes, sir.

Senator FALL. That is the only assistance you have received from the Carranza government?

Mr. DYCHES. Yes, sir.

Senator FALL. Mr. Baldwin also received some notes from them?

Mr. DYCHES. He received a couple of notes three or four or five days back from them; I did not read those notes. I intended to bring them along with me, but forgot them.

Senator FALL. He told you what the contents were?

Mr. DYCHES. Yes, sir; but I don't remember what they contained now; but two of them are still over there with Carranza outpost now, living there, running with them, and the others are right near by in the same band.

Senator FALL. What was the general purport of these notes; what was their purpose in writing to Mr. Baldwin?

Mr. DYCHES. They wanted to get him across the river over there; and in one of the notes they wanted some more groceries and dry goods sent across to them.

Senator FALL. Is he running a delivery wagon across the international boundary?

Mr. DYCHES. No, sir; he has a commissary there for his laborers. (Witness excused.)

### TESTIMONY OF GEORGE TURNER (COLORED).

(The witness was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. What is your full name?

Mr. TURNER. George Turner.

Senator FALL. Are you a citizen of the United States?

Mr. TURNER. Yes, sir.

Senator FALL. Of what State are you a native; where were you born?

Mr. TURNER. Kentucky.

Senator FALL. George, what was your business in the year—what were you doing in the year 1916?

Mr. TURNER. Soldier.

Senator FALL. Soldier?

Mr. TURNER. Yes, sir.

Senator FALL. In what Army?

Mr. TURNER. United States Army.

Senator FALL. Were you in the Cavalry or Infantry?

Mr. TURNER. Tenth Cavalry.

Senator FALL. Tenth Cavalry?

Mr. TURNER. Yes, sir.

Senator FALL. Were you ever at the town or settlement of Carizal?

Mr. TURNER. Yes, sir.

Senator FALL. Were you there as a soldier?

Mr. TURNER. Yes, sir.

Senator FALL. How many Cavalry were there about; was there more than one troop?

Mr. TURNER. Two troops, but they were not close together.

Senator FALL. Two troops?

Mr. TURNER. Yes, sir.

Senator FALL. But they were not close together?

Mr. TURNER. No, sir.

Senator FALL. Both of the Tenth Cavalry?

Mr. TURNER. Yes, sir.

Senator FALL. Who was the commanding officer of your troop?

Mr. TURNER. At that time?

Senator FALL. Yes.

Mr. TURNER. Capt. Boyd; sir.

Senator FALL. Who was the commanding officer, if you know, of the other troop?

Mr. TURNER. Of C Troop?

Senator FALL. Yes.

Mr. TURNER. I don't know, sir; I don't know his name.

Senator FALL. Capt. Morey?

Mr. TURNER. I think Capt. Morey at that time—but he was with us.

Senator FALL. Did you know Lieut. Adair?

Mr. TURNER. Yes, sir.

Senator FALL. Who was your first sergeant?

Mr. TURNER. Of my troop?

Senator FALL. Of your troop.

Mr. TURNER. Sergt. Page.

Senator FALL. Was he there?

Mr. TURNER. Yes, sir.

Senator FALL. What became of him?

Mr. TURNER. I don't know, sir; where is at now. I think he went overseas with the rest of those fellows.

Senator FALL. What happened there then—do you remember the exact date?

Mr. TURNER. No, sir; I don't remember just exactly the date. I did not put it down.

Senator FALL. Did you have a civilian guide?

Mr. TURNER. Yes, sir.

Senator FALL. Who was he, do you remember?

Mr. TURNER. Yes, sir; he was a Mormon fellow, his name was—

Senator FALL. Lem Spillsbury?

Mr. TURNER. Lem Spillsbury, a tall fellow.

Senator FALL. Now, what were you doing there at this little settlement at this time? What occurred there, George, just tell us in your own language; go right ahead.

Mr. TURNER. We came in from Casas Grandes there and went into camp.

Senator FALL. How long did it take you to cross from Casas Grandes?

Mr. TURNER. Four days and nights to come from Casas Grandes.

Senator FALL. Where did you go into camp the last night?

Mr. TURNER. The last night?

Senator FALL. Yes.

Mr. TURNER. Well, I judge about a mile.

Senator FALL. About a mile from this little town of Carrizal?

Mr. TURNER. Yes, sir.

Senator FALL. And stayed there all night?

Mr. TURNER. Yes, sir; and came that next morning about 9 o'clock, when we halted, dismounted, and camped there for lunch, and this Lem Spillsbury was called by Capt. Boyd; they had a conversation there and they sent him up in the little town of Carrizal for information, and when he came back, why he goes to Capt. Boyd there and they were talking again; I don't know what passed between the two, but he goes back up into this town of Carrizal and comes back again. That is the first time; on the second time when he came back he came back with a Mexican general, came back with him; and then when he came back again why the troop was called up by the captain; he gave us a lecture; he lectured to us.

Senator FALL. What was the lecture; what did he tell you?

Mr. TURNER. What he said to us I will explain it to you. He says, "What I want this morning, boys, to give you—in lecturing the Tenth Cavalry, because I know the Tenth Cavalry always had a good recommendation—what I want you to do this morning to stay with me; I will stay with you boys because I don't think there is one in the troop that will go back on me; stick with me because I will always stick with you." and then—

Senator FALL. Did he give you any instructions about any possible fighting or firing?

Mr. TURNER. Yes, sir; the next thing what he told us is: "What I want is this: This morning I don't want a man to fire a shot not until I give the order; then the first sergeant will carry it out through the troop." Then he asked us how many rounds of ammunition we had, did each man have, and we told him. He said he wanted the horse holders to go to the rear of the troop about 200 yards.

Senator FALL. About how many horse holders in every troop, approximately.

Mr. TURNER. Of the troop?

Senator FALL. Yes; how many do you usually have?

Mr. TURNER. Have a hundred and something, but not that many in the troop, but about 67 in the troop at this time.

Senator FALL. About how many of those would you say were horse holders?

Mr. TURNER. I judge about 30.

Senator FALL. About one-half of them?

Mr. TURNER. Yes, sir.

Senator FALL. That went to the rear to hold horses?

Mr. TURNER. Yes, sir.

Senator FALL. Well, tell us what you did?

Mr. TURNER. Went into skirmish line.

Senator FALL. You fell into skirmish line under order of your commanding officer?

Mr. TURNER. Yes, sir; right there.

Senator FALL. At this time could you see any Mexicans?

Mr. TURNER. No, sir; I did not see one. This Mormon came back, he and this Mexican general again, he came back, then the captain walked up to them, then Capt. Boyd was standing there talking, this Mormon goes to the extreme right of us, I was on the extreme right myself, then this Mexican general, he leaves us and goes to the front—goes back to the rear toward this little town, when he got back there a piece he wheels facing us, and drew his sabre and started back toward us. When he started back why they raised from the right and commence firing again.

Senator FALL. The Mexicans?

Mr. TURNER. Yes, sir.

Senator FALL. You had not seen them up to that time?

Mr. TURNER. No, sir. They raised from the right, and came rushing across to us—we were lying on the ground.

Senator FALL. About how many of them were there?

Mr. TURNER. It looked to me like about two platoons of them.

Senator FALL. About how many would that be—you are talking like a soldier, a good many of these newspaper men don't know how many that is; two platoons, about how many Mexicans would you say in numbers?

Mr. TURNER. I guess they had about 35, or a little more than that.

Senator FALL. What did you all do?

Mr. TURNER. Laid down to the ground as ordered. They commenced firing, then we got orders from Capt. Boyd to fire upon this general because he had started back facing us, when they raised off the ground he charged, you know, and came back hollering, so we raised and commenced shooting.

Senator FALL. Then what did you do, if anything? Did you get up?

Mr. TURNER. We did not get up any until we got the command, we got the command and rushed forward again and laid back down again, they ran in the extreme right of us again, it looked like, I guess, 500 or 600 of them came up. You could not see in front of us then for the dust, the shots were hitting in front of us. I seen Capt. Boyd had got shot, he grabbed himself right around the shoulders this way, I said, "There is Capt. Boyd got shot on the extreme left of us"; when we started across again why they opened fire on us again. Opened fire then again, that bunch of them, and those what was in front of us, they broke back, we got an order again. Capt. Boyd said, "Raise, go forward," we did. We raised the second time, then they commenced to cut us down, the machine guns opened up on us.

Senator FALL. They had machine guns?

Mr. TURNER. Yes, sir; on the left.

Senator FALL. Did you have a machine gun with your troop?

Mr. TURNER. No, sir; nothing but rifles.

Senator FALL. So after this second charge you made, or advance, they opened on you with machine guns?

Mr. TURNER. Yes, sir; it was the second. We got orders then to fire upon that infernal machine gun, about 200 yards, which we did, then it ceased firing, and they opened up in the rear of us.

Senator FALL. You stopped the machine gun, did you?

Mr. TURNER. Yes, sir. They opened fire on us then in the rear, came down that irrigation ditch right in behind us.

Senator FALL. Surrounded you?

Mr. TURNER. Yes, sir.

Senator FALL. Got in behind you?

Mr. TURNER. Yes, sir.

Senator FALL. And fired at you from behind?

Mr. TURNER. Yes, sir. And those soldiers, what was in the extreme front of us, they broke back—retreated.

Senator FALL. The Mexicans?

Mr. TURNER. Yes, sir; they went back.

Senator FALL. How far did you advance altogether, you troops? Did you continue to advance?

Mr. TURNER. We went about 300 yards in their direction, their firing line.

Senator FALL. They were shooting at you all the time?

Mr. TURNER. Yes, sir; then opened up again to the right of us, we could not do anything because they all together made a charge right in behind us.

Senator FALL. How many of you were doing the firing, just half of your troops?

Mr. TURNER. Yes, sir; just one-half then, but those fellows that were holding the horses, it got so hot for them behind them they had to come up to our firing line, they could not stay back there with the horses because all those soldiers came down that irrigation ditch, they kept shooting at them; they kept taking up their firing line; at the time they came up there they just surrounded us. What men were on the ground when they came up there they just shot, some lying down, they did not get up.

Senator FALL. Wounded men?

Mr. TURNER. Yes, sir.

Senator FALL. You mean they killed the wounded men?

Mr. TURNER. Yes, sir; some of those that were wounded could not get up; those that were not wounded lay down there when those Mexicans made the charge in the rear.

Senator FALL. What became of you, what happened to you personally?

Mr. TURNER. To me? During the time I was on the extreme right Capt. Boyd then had come up from the right, had gone back over to the other side and sat down; I went back over to where he was, caught him up in my arms and carried him back; he said, "You had better lay down," he said to me, "You had better get down," he says "They are raising hell with us," so I took him on back a piece, went on back up to the line, because they were shooting so right there at me I left him and went back to the firing line. So there was a horse up there, I did not know he was shot.

Senator FALL. Did not know the horse was shot?

Mr. TURNER. No, sir; he was shot up between the forehead, and my sergeant he was over there, he kept hollering, so I says, "I am going to get on this horse's back to make my get-away from here if I can." It was getting then too hot for me, he kept hollering "Get down off of him, get down off of him," so I did not pay any attention to what he was saying; he hollered, I think, two or three or four times; I got on him again, he stood right back, he kept turning around and around, and there was a Mexican woman, I think seven or eight Mexican women scattered around in there, had these little old short rifles. I think she had a clip of ammunition coming out of some of our rifles, some of our ammunition we had dropped in the skirmish, so she tried to get it in her rifle; he kept hollering to me, "Look out, why, don't you see that Mexican woman there fixing to shoot you;" so I grabbed for my six-shooter, still had hold of this horse, he kept lunging, sat right back down again, so I shot her, made her bite the grass. At that time I mounted my horse again, so I got it, I was shot through and through. So Page hollered, "I told you to stay off that horse, you would get shot." I let him go.

Senator FALL. Shot through and through. Where do you mean?

Mr. TURNER. Shot through this side; it came out on this side. I had a pair of these wrapped leggins, and I had blood running all out; I taken these wrapped leggins off and wrapped them around. bandaged it.

Senator FALL. You took your leggins off and bandaged yourself?

Mr. TURNER. Yes, sir. I walked over. I did not see Capt. Boyd any more. I did not see him, only this Mormon, I saw him, the bunch had him. That was after I got dressed, and the Mexicans then came charging again, after Page had got me up from there and got me started, you know, on our way over there, they came on us charging again after Page had got me up, about to shoot us, you know; so we threw up our hands; they taken us on over to the railroad and stripped us.

Senator FALL. How do you mean stripped you, took your clothes off of you?

Mr. TURNER. Yes, sir.

Senator FALL. How many of them with you, do you remember?

Mr. TURNER. Seventeen.

Senator FALL. Were any of them wounded except yourself?

Mr. TURNER. Yes, sir; some of them shot through the hands, some through the arms.

Senator FALL. What did they do with you after they stripped you?

Mr. TURNER. Carried us over there, stripped us, we waited there about a half hour, well we walked, I think, about 200 yards down the track and the train came, we started to walk, did not have on a thing. We got into Chihuahua that evening, I think, about 4 o'clock, put us on the train there, we did not have a thing on, and put us in that jail down there.

Senator FALL. How long did you stay in the jail?

Mr. TURNER. About nine days, I think, little over nine.

Senator FALL. Did they furnish you with any clothes?

Mr. TURNER. No, sir.

Senator FALL. How were you treated while you were in the jail?

Mr. TURNER. Treated pretty rough, I don't want to go there any more. Every morning after they put us in there, every morning they came back and told us: "Pretty soon we are going to stand you against that wall up there and bomb, bomb you." So this Mormon came and told us. He says: "Boys, you don't want to stand nothing from these Mexicans, if they come and talk to you just tell them to talk to me." There was nothing to do but to make ready. Page, the sergeant there, says: "Boys, I tell you what we do, when they come in here, and march down in front of you they will either be at carry arms or port arms, and the first one that gets hold of a rifle shoot right down this hall, shoot right down this hall, and if any of us can get hold of a rifle commence shooting, they ain't going to all come out there until we get out on the street, and some of us can get away, and get back," that is what we intended to do, so every morning they came in there and told us what they were going to do to us.

Senator FALL. Well, what did they do to you, you say they treated you pretty rough?

Mr. TURNER. Why, meal time they came down by us, they got a big dish pan about that size, the spoon was about a yard long.

Senator FALL. The spoon was about a yard long?

Mr. TURNER. Yes, sir. Came back by us, they would kick us, and take a spoon and dish out the beans, about a dozen beans, pour them out on the ground to us, each one; that meat they gave us, you could bounce it from here to the Mills Building. It was not meat.

Senator FALL. You mean to say they fed you on the ground?

Mr. TURNER. Yes, sir.

Senator FALL. Poured your beans out on the ground?

Mr. TURNER. Yes, sir.

Senator FALL. You had to pick them up from the ground?

Mr. TURNER. We never picked any of them up, we were thinking about getting out of there.

Senator FALL. Afterwards they took you out, did they?

Mr. TURNER. Yes, sir.

Senator FALL. And put you on the train?

Mr. TURNER. Yes, sir; when they came down to take us out we thought then our time had come, they came and told us to prepare to leave, "get out of here, prepare to leave." We did not feel good until we got down here to this bridge, at least, I did not.

Senator FALL. Well, did they give you clothes before they put you off the train up here?

Mr. TURNER. Did not have anything but overalls until we got here.

Senator FALL. All the time you were in Chihuahua you did not have any clothes?

Mr. TURNER. No, sir.

Senator FALL. When they put you on the train they did not give you any clothes?

Mr. TURNER. Not until we got pretty near here, they gave us some overalls.

Senator FALL. Then you were delivered on this side?

Mr. TURNER. Yes, sir.

Senator FALL. What is your employment now, George?

Mr. TURNER. I work at the Quartermaster Department down here.

Senator FALL. You are still in the employ of the United States?



Mr. TURNER. Yes, sir.

Senator FALL. One of our witnesses is ill, and won't be here this morning, and the committee desires to have a conference with some other witnesses, and will be in recess until 3 o'clock, when we will again meet in this room.

(The committee then, at 11.50 o'clock a. m., took a recess until 3 o'clock p. m., the same day.)

AFTER RECESS.

The committee met pursuant to adjournment.

TESTIMONY OF MAJ. GEN. ROBERT LEE HOWZE.

Senator FALL. General, we will not go through the formality of requesting you to take the oath which we are administering to witnesses, as you appear in your official capacity. Please give your full name to the reporter.

Gen. HOWZE. Robert Lee Howze, major general of the United States Army.

Senator FALL. Where are you stationed now, General?

Gen. HOWZE. At El Paso, in command of the district of El Paso.

Senator FALL. What is the district of El Paso, shortly speaking; what does it comprise?

Gen. HOWZE. It starts on the west at the New Mexico-Arizona State line, passes to the Rio Grande; thence down the Rio Grande to what is known as the Big Bend, a distance of some 450 to 500 miles.

Senator FALL. General, of what State are you a native?

Gen. HOWZE. Texas.

Senator FALL. How long have you been in the United States Army?

Gen. HOWZE. Since June, 1883, nearly 37 years.

Senator FALL. Will you as rapidly as possible sketch your military experience, your experience in the Army?

Gen. HOWZE. My experience as an officer began in New Mexico, where I served for nearly 3 years; was then transferred to the Sioux Indian country in the Dakotas; remained there 4 years; thence to the Chicago Pullman strike and riot, and then to Fort Leavenworth, Kans., and next to West Point Military Academy as instructor, then to the Cuban campaign against Spain; duty back to West Point, then to the Philippines, commanding a volunteer regiment. And next duty took me to Porto Rico, where I served 3 years; then again to West Point as commandant of cadets for 4 years; the next 4 years in command of the Porto Rico Regiment and the district of Porto Rico; my next service was a field officer of the Eleventh Cavalry; then to the Army War College in Washington, from which duty to Mexico with the punitive expedition, and from there to El Paso, and later to Boston as chief of staff of the department; from Boston to El Paso in command of the Second Cavalry Brigade, and later in command of the El Paso district, and from El Paso overseas for 11 months, on duty with the American Expeditionary Forces; at the conclusion of overseas service, back to El Paso in command of the El Paso district, and to date.

Senator FALL. General, in connection with the punitive expedition, commonly known as the Pershing expedition to Mexico, what were your duties, and how far did you yourself go into Mexico?

Gen. HOWZE. Gen. Pershing assigned me to the command of a selected squadron of Cavalry, and as such commander I preceded his main forces through Chihuahua, and on into the northern edge of the State of Durango.

Senator FALL. Did you reach as far south as Parral?

Gen. HOWZE. I did; somewhat farther south, perhaps 70 miles.

Senator FALL. Where were you when the Battle of Carrizal was fought?

Gen. HOWZE. I was at Colonia Dublan, near Casas Grandes.

Senator FALL. Where did you go from there, immediately following the Battle of Carrizal?

Gen. HOWZE. I was ordered by Gen. Pershing to proceed in the direction of Carrizal for the purpose of investigating the reported fight there, and also to pick up any of the colored troopers whom I might encounter.

Senator FALL. How far did you proceed in the direction of Carrizal in the performance of your duties?

Gen. HOWZE. Within 8 or 10 miles of Carrizal, in the vicinity of the ranch known as Santo Domingo ranch.

Senator FALL. Did you there ascertain any of the occurrences at the Battle of Carrizal? If so, from whom.

Gen. HOWZE. During the whole trip from Colonia Dublan I was able, through the colored troopers picked up, packers, and finally from Capt. Morey, to quite thoroughly and carefully investigate the whole situation.

Senator FALL. Where did you encounter Capt. Morey?

Gen. HOWZE. About 25 miles short of Santo Domingo ranch.

Senator FALL. What was his physical condition?

Gen. HOWZE. At the time I got him he was practically normal, except for a severe state of nervousness and concern.

Senator FALL. Did you obtain from him a statement concerning the occurrences at Carrizal, as he knew them?

Gen. HOWZE. I did, and submitted it to the authorized inspector, who followed up my investigation.

Senator FALL. Now, you say that you reached the Santo Domingo ranch about 9 miles from Carrizal: did you proceed any farther in the direction of Carrizal?

Gen. HOWZE. I did not.

Senator FALL. Was there any particular reason why you did not proceed farther in the direction of Carrizal?

Gen. HOWZE. All the troops received instructions not to go beyond Santo Domingo ranch.

Senator FALL. Your instructions came, of course, from your commanding officer?

Gen. HOWZE. Yes, sir.

Senator FALL. How many soldiers did you have with you on this expedition to the vicinity of the Santo Domingo ranch?

Gen. HOWZE. About 300 mounted troops.

Senator FALL. Did you feel competent to deal with the situation as it existed, or might exist, around Carrizal, with the troops whom you had?

Gen. HOWZE. Yes, sir.

Senator FALL. Where did you go from the vicinity of the Santo Domingo ranch?

Gen. HOWZE. We returned to Casas Grandes.

Senator FALL. Under orders?

Gen. HOWZE. Under orders, after we had rescued the colored troopers, and as many animals as we believe possible to recover.

Senator FALL. General, have you made any inquiry from your official record, and other satisfactory sources of information, as to death and injuries to persons within your present district occurring within the last two years, or, say, since February, 1917?

Gen. HOWZE. I have done so under competent orders received by me from high authority.

Senator FALL. Have you prepared a paper or list of such casualties or injuries?

Gen. HOWZE. I have.

Senator FALL. Will you offer that list for the use of the committee, to be printed in its record, without testifying as to the details of it?

Gen. HOWZE. I will be very glad to do so.

(Said statement is as follows:)

1. February 14, 1917, three Mormons, Andy Peterson, Bert Jenson, and a brother-in-law of Peterson's by the name of Hugh Acord, were taken from the Corner ranch and carried into Mexico and killed. Bodies found one-half mile south of monument 54, each man having been shot in the head.

2. April 5, 1917, unknown Mexican working at corner of Central and Piedras Streets, El Paso, Tex., killed by stray bullets fired by Carrancista soldiers at an American patrol near the island in the city of El Paso. Death resulted from firing across the border at El Paso, Tex.

3. January 21, 1918, a patrol from Troop I, Seventh Cavalry, stationed at Fabens, Tex., fired on by Carranza soldiers, the trooper being hit on tip of finger, wound very slight, and name of soldier can not be ascertained.

4. January 25, 1918, Pvt. Fred Lynn, Company H, Sixty-fourth Infantry, slightly wounded in the side from shots fired by Carrancista soldiers opposite the Santa Fe Street Bridge, at El Paso, Tex.

5. January 28, 1918, Pvt. William N. Coomer, Troop M, Seventh Cavalry, wounded in the left foot by shots fired by Carrancista soldiers,  $1\frac{1}{2}$  miles from Collingsworth Station, east of El Paso, Tex.

6. February 23, 1918, Capt. Marx, Fifth Cavalry, leading patrol of three men, crossed into Mexico by accident at monument 15, and was shot in the leg. Patrol was in Mexico at the time, and wound was not result of firing across the border.

7. February 25, 1918, Pvt. William P. Coleman, Troop R, Fifth Cavalry, while a member of the patrol at monument 18, near Fabens, Tex., was shot through the arm by Carrancista soldiers firing across the border.

8. November 8, 1918, Jim Parkins, a Texas ranger, killed on this island below Fabens, Tex., by unknown Mexican or Mexicans. Death was not due to firing across the border.

9. December 27, 1918, Pvt. David Troib, No. 1171213, medical detachment, attached to the Nineteenth Infantry, murdered by Lieut. Juan Azpoitia, of the Mexican Army. Troib was a few yards in Mexico across from the smelter, El Paso, Tex., when killed. Death was not due to firing across the border.

10. April 12, 1919, Clarence Childers, immigration inspector, killed by unknown smugglers below El Paso. Death did not result from shots fired across the border, as smugglers were in United States at the time, but later crossed to Mexico.

11. June 15, 1919, Sergt. Roscow W. Buckles, Company A, Ninth Engineers, wounded in left thigh by bullet fired from the Mexican side of the border during the last Juarez fight. Wound was due to firing across the border at El Paso, Tex.

12. June 15, 1919, Pvt. Sam Tusco, Headquarters Company, Eighty-second Field Artillery, killed by shots fired from the Mexican side of the river. Shots

thought to be fired by Villistas. Death was due to firing across the border at El Paso, Tex.

13. June 15, 1919, Pvt. Burchard F. Casey, Headquarters Company, Eighty-second Field Artillery, severely wounded by shots fired from Mexican side of the border. These shots thought to have been fired by Villistas. Wound was result of firing across the border at El Paso, Tex.

14. June 15, 1919, Corpl. Ed. C. Reilly, Four hundred and first Motor Transport Company, wounded in left leg by shots fired from the Mexican side of the border. These shots thought to have been fired by Villistas. Wound was result of firing across the border at El Paso, Tex.

15. June 15, 1919, Corpl. Alfred Friedman, Company D, Nineteenth Infantry, slightly wounded by shot fired from Mexican side of border. Shot thought to have been fired by Villistas. Wound was result of firing across the border at El Paso.

16. June 15, 1919, Corpl. Earl O. Smith, No. 1022911, Company A, Twenty-fourth Infantry, shot in the lower right leg by Villistas firing across the border at El Paso, Tex.

17. June 16, 1919, Pvt. Anthony Cunningham, No. 3516469, Company G, Twenty-fourth Infantry, killed by Villistas firing across the border at El Paso, Tex.

18. June 16, 1919, Pvt. Calvin Love, No. 3617637, Company G, Twenty-fourth Infantry, shot in the right arm by Villistas firing across the border at El Paso, Tex.

19. June 16, 1919, Sergt. Peter Chigas, Troop L, Seventh Cavalry, severely wounded while pursuing Villa forces in Mexico. Wound was not result of firing across the border.

20. June 16, 1919, Arthur A. Linburg, private, Troop E, Fifth Cavalry, slightly wounded while pursuing Villa forces in Mexico. Wound was not result of firing across the border.

21. June 16, 1919, Alfonso Flore, private, Troop M, Fifth Cavalry, slightly wounded while pursuing Villa forces in Mexico. Wound was not result of firing across the border.

22. June 16, 1919, Louis E. Armstrong, corporal, Machine Gun Troop, Fifth Cavalry, slightly wounded while pursuing Villa forces in Mexico. Wound was not result of firing across the border.

23. June 15, 1919, Floyd Hinton, killed while watching the Battle of Juarez from top of building at Ninth and El Paso Streets. Responsibility for his death has not been definitely determined.

24. June 15, 1919, Mrs. Ed. Dominguez, a Mexican woman, killed while sitting on her doorstep at 309 East Eighth Street by a bullet fired from the Mexican side across the border at El Paso.

25. June 15, 1919, A. Madrid, a Mexican, slightly wounded in the head by a bullet fired from the Mexican side of the border at El Paso. It is not known whether this bullet was from Villa or Carranza forces.

26. June 15, 1919, A. Ochoa, a Mexican woman, shot in the thigh while in her home located at Park Street, El Paso, Tex. This shot was fired from across the border at El Paso, Tex., by Carranza or Villa forces.

27. Francisco Aguilar, a Mexican, shot by bullets fired across the border of El Paso, Tex. He was shot near 433 East Sixth Street, El Paso, Tex., on June 15, 1919; shot fired either by Carranza or Villa forces.

28. June 15, 1919, Emma Parker, a negress, shot in left hand by a bullet fired across the border at El Paso while in doorway of her home, 404 Tays Street, El Paso, Tex.

**Senator FALL.** General, I note, under date of June 15, 1919, casualties occurring among various soldiers, privates, and others upon this side of the boundary line, as well as some upon the Mexican side under dates of June 15 and 16—this is merely a preliminary question. No. 11, for instance, or No. 12, upon this list—June 15, 1919, Pvt. Sam Tusco, Headquarters Company, Eighty-second Field Artillery, killed by shots fired from the Mexican side of the river. Shots thought to be fired by Villistas, death due to firing across border at El Paso, Tex. One of the members of your staff, Col. Glover, I be-

lieve is here, and he was present during these days—the 15th and 16th of June?

Gen. HOWZE. Yes, sir; as chief of staff.

Senator FALL. So that any details as to who fired shots from the other side, in so far as they could be discovered, would be more within the personal knowledge of Col. Glover than yourself, as you were not here at that time?

Gen. HOWZE. Yes, sir.

Senator FALL. Now, General, we do not want to take a great deal of your time, but from your vast and varied experience in different portions of the world, particularly your experience along the Mexican border and in Mexico, have you any statement with reference to conditions existing in Mexico and along the border which you will make to the committee?

Gen. HOWZE. I have come to certain conclusions, based upon what I believe to be facts given me because of the position that I have held during the last several years, and if it would interest the committee I would be very glad to give these conclusions.

Senator FALL. The committee will be very grateful, sir, if you will let us have the benefit of your conclusions.

Gen. HOWZE. Off and on during the last four years I have had peculiar advantages in being able to see and to know the things so far as concerns Americans and foreign-owned property, which have happened on this side of the Rio Grande and in Mexico. I will not undertake to describe them in detail; they have been too numerous and are already too well known. My conclusions ought to be sufficient. The intolerable conditions, which have covered a period of nearly 10 years, have continually grown worse and I am convinced that the apex of shamefulness and horror as viewed from an American conception of justice and decency was reached last fall: a condition which, in my opinion, still exists. The Mexican Government during this 10 years of critical times has never, as far as I can determine, done one genuinely friendly thing toward our Government. On the other hand, the Mexican Government has done no end of discourtesies—I would like to add either the Mexican Government and its people have done no end of discourteous, contemptuous, and offensive things of large importance to our Government and our people. The result has been increased estrangements and of increased hatred against the people of the United States.

It is well known that Americans are being murdered or captured and released on payment of ransom. Foreign-owned properties are being confiscated or practically destroyed. Mexican bands are committing most horrible crimes and in isolated places continue to make raids upon the persons and property of the American citizens located on our side of the border. Everywhere in Mexico, so far as can be observed, there would appear to be a lack of progress. No end of reports showing that murder, rapine, and destruction prevail—no end of reports are received that murder, rapine and destruction prevail—and from our point of view there is no evidence of improvement. We who closely observe believe that the future of Mexico, so far as it affects us, is hopeless if left wholly to the control of Mexicans. That concludes my opinion of the situation.

Senator FALL. General, you speak of Mexican bands raiding on this side; is there any distinctive mark in so far as you know to enable you to determine who are bandits and who are not?

Gen. HOWZE. That has been a very difficult problem for us, and I think I speak the opinion of all officers when I say that I believe that it is impossible for us to make any distinction.

Senator SMITH. It would follow, General, would it not, that a description of those who come on this side and go across as bandits would be very misleading? Ought not it to apply to anybody that comes across and goes back after committing depredations?

Gen. HOWZE. Yes, sir.

Senator SMITH. If anyone comes across and commits depredations from the other side, without a question whether they are bandits or not, the mere fact of their invasion and return to the other side, it would be better that the word bandit be excluded from any consideration in that particular, would it not?

Gen. HOWZE. My answer to that is best made by stating that officially we do not use the term "bandits."

Senator SMITH. That is what I am driving at.

Senator FALL. You mean to say, officially, they all look alike to you?

Gen. HOWZE. Officially we treat them all as Mexicans; Mexican nationals, if you please to so term it.

Senator FALL. General, may I ask you if you feel that the forces, military forces, along the border under yourself and your superior officers, are thoroughly competent to handle any situation which may arise on this border?

Gen. HOWZE. Yes, sir.

Senator FALL. That is all, sir; we thank you very much.

(Witness excused.)

#### TESTIMONY OF COL. FRANCIS W. GLOVER.

Senator FALL. Will you kindly give your full name and rank to the reporter?

Col. GLOVER. Col. Francis W. Glover, United States Army, now on duty as chief of staff to Maj. Gen. Robert L. Howze, commanding the El Paso district.

Senator FALL. Colonel, how long have you been stationed in the El Paso district?

Col. GLOVER. Since April 9, 1917, with the exception during that year when I was in command of Fort Yellowstone, Wyo.

Senator FALL. Were you in El Paso on June 15 and 16, of the year 1919?

Col. GLOVER. I was.

Senator FALL. On duty here at that time?

Col. GLOVER. On duty here as chief of staff to Brig. James B. Erwin, United States Army.

Senator FALL. Did you have opportunity during these days to observe any occurrences upon this side of the river, and later upon the other side, with reference between two Mexican factions upon the other side?

Col. GLOVER. I did, sir. I was in direct charge of military operations of the United States Army. Of the troops of the El Paso district.

Senator FALL. Colonel, do you know whether there were any notes received by the commanding officer, or other military officers, either prior to or subsequent to this battle, from General or so-called Gen. Felipe Angeles?

Col. GLOVER. Yes, sir; I do.

Senator FALL. When was such note received; was it after or prior?

Col. GLOVER. It was after the battle; the afternoon of June 17, if I remember correctly, about 4.30 p. m.

Senator FALL. Did you read that note?

Col. GLOVER. I did, sir.

Senator FALL. Do you recall substantially the contents of this?

Col. GLOVER. I do, substantially. Gen. Angeles appeals to Gen. Erwin, as a comrade in arms, and asks him for certain information, which, as he stated, he considered it for the revolutionary forces in Mexico at that time, with which he was at that time connected, to know. He stated that it was a matter of personal knowledge to him that Gen. Villa had assembled all of his officers prior to the attack on Juarez and gave them strict instructions that there would be no firing into the United States territory, and that so far as he had observed, those orders had been carried out. He further stated that he felt sure that the killing and wounding of Americans on the American side of the border was the result of firing of Carrancistas, and that this firing was done for the purpose of causing the United States troops to interfere.

Senator FALL. Did you know anything of the military record or standing of Gen. Angeles?

Col. GLOVER. I did; I knew that Gen. Angeles was a very distinguished artillery officer, and that he had military training in Europe, and at one time was in command of about 60 pieces of artillery when Villa's power was at its height.

Senator FALL. What was his reputation generally as a gentleman and a sincere and straightforward soldier, if you know?

Col. GLOVER. Personally, I thought that he was one of the foremost soldiers of the Mexican race, and one of the most honorable, upright men of that race that was alive at the time.

Senator FALL. Colonel, you had already, prior to the receipt of this note, of course, investigated the shooting across to El Paso?

Col. GLOVER. I had, sir; personally.

Senator FALL. I judge from the list of the casualties presented to the committee by Gen. Howze, that the conclusions reached by yourself, were at variance, at least to some extent, with those set forth in the Angeles letter?

Col. GLOVER. They were, although I would like to qualify that remark by saying that I believe that Gen. Angeles was sincere and truthful in all of his statements, but that he was not correctly informed.

Senator FALL. In other words, you were convinced from your examination, that at least some of the shots fired into El Paso were fired by the attacking forces of Villa?

Col. GLOVER. I am, sir.

Senator FALL. Did you convince yourself that none of the shots fired into El Paso were coming from Carranza troops?

Col. GLOVER. I did not, as a matter of fact, I listened to quite a few of them whistle by my ears and saw the Carrancistas firing them.

Senator FALL. Where were you, Colonel, during the fighting?

Col. GLOVER. I was most of the time at district headquarters, but occasionally things would come up which made it appear necessary for me to be present in person. For example, Col. Merrill of the Eighty-second Field Artillery reported to me by telephone about 10.30, the night of June 15, that the Mexicans were sniping his headquarters, located at that time at Peyton's packing plant, and that they had killed one of his men, and severely wounded another. I asked Col. Merrill to determine by whom these shots were fired, whether by Villistas or Carrancistas, and he stated he was unable to determine that fact. Knowing, or rather, having a better knowledge of the location of all troops, both Carrancistas and Villistas than Col. Merrill could possibly have from his limited view of the action, I went to Peyton's packing plant at once, and asked him if this sniping was still continuing, and that if so I wanted to witness it. We went on top of Peyton's packing plant building, the moon was shining fairly bright, Col. Merrill, Capt. Hutchinson, and one soldier, under my instructions exposed themselves with instructions that as soon as they saw the flash of the guns to drop, in about a minute after we exposed ourselves we saw a flash of a gun directly opposite the river in an adobe building, which I knew, at that time, was occupied by Villa soldiers. We dropped very quickly and the bullet took a chip off of the mortar of the chimney, right close to Col. Merrill; no, I believe it was Capt. Hutchinson—it is immaterial—I remained there until I was convinced that these men belonged to Villa's command, and that they were deliberately sniping the headquarters of the Eighty-second Field Artillery.

Senator FALL. Now, you stated that you had evidence convincing to you that the Carrancistas were also shooting into El Paso. How did you ascertain that?

Col. GLOVER. About 4.30 a. m., June 16, I could see from my office in the Mills Building, and heard the sound of very heavy rifle and machine-gun fire direct from the vicinity of Fort Hidalgo. I telephoned to headquarters of the Twenty-fourth Infantry, at the customhouse, and asked if there was any firing into El Paso, and was told by the officer, am not sure who he was, that a rain of bullets was striking the customhouse, and that it was as much as a man's life was worth—to use his own words—to poke his head out of the window.

Senator FALL. That was the American customhouse.

Col. GLOVER. Yes, sir. I reported this to Gen. Erwin, and he directed me to go at once, and stand on the Santa Fe Street Bridge until I could be assured as to the identity of the troops that were doing the firing. It only took me a few minutes to ascertain by a personal observation that those shots were coming from Carranza troops, who were making an attack against the Villistas in such a manner that it would be impossible for a great majority of those shots not to strike in El Paso.



Senator FALL. Did you cross the river at any time, Colonel, during the fighting?

Col. GLOVER. The plans were for the Cavalry brigade, composed of the Seventh and Eighth Cavalry, and a battalion of the Eighty-second Field Artillery, with some special troops, to cross the Rio Grande in the vicinity of Rock Ford, Rock or San Lorenzo Ford, to cut off the retreat of the hostile forces down the river valley, and then to cross at the Santa Fe Street Bridge with the Twenty-fourth Infantry, supported by two batteries of the Eighty-second Field Artillery. After issuing the order to the commander of the Cavalry brigade, I went to the customs house building, and directed him to report to me when he had effected his crossing. In the meantime I gave Gen. Erwin's orders to Col. Hadsell to prepare to attack the Villa forces in Juarez, and also notified the Mexican Carranza commander, Gen. Gonzales, to get his forces out of our way, if he did not want them to get hurt. At 11.20 p. m., the Cavalry commander reported that he had completed his crossing, and orders were given to Col. Hadsell to attack. At the Santa Fe Street Bridge, I saw two or three Carranza officers with about 15 men directly in the path of the troops on the other side, and went to these officers and told them that we were going to attack the Villista forces, and advised them to get their men out of the way. These Carranza officers seemed very much gratified at the time to see American troops crossing. I questioned them as to how we could distinguish between the Villa men and the Carranza troops, and was told that the uniform of the Carranza troops, during the fighting, was to have the left pants leg rolled up over the knee, and the right; no, both sleeves rolled up over the elbow. We made every effort to distinguish between the forces, but I think in the heat of the fighting, some of the breeches legs dropped down.

Senator FALL. Did all go in the same direction?

Col. GLOVER. All of them I saw, sir, except this one detachment: they seemed to think that they had obtained immunity, were going in the direction of Fort Hidalgo, or in the direction of the bosque down the river.

Senator FALL. You could fairly well distinguish then between the Carrancistas and Villistas when they started?

Col. GLOVER. Yes, sir.

Senator FALL. It is necessary to have some conferences with other witnesses, and the committee will be in recess until half past 10 o'clock to-morrow morning.

(The committee then, at 3 o'clock p. m., February 6, 1920, adjourned to meet at 10.30 o'clock, Saturday, February 7, 1920.)

# INVESTIGATION OF MEXICAN AFFAIRS.

**SATURDAY, FEBRUARY 7, 1920.**

UNITED STATES SENATE,  
SUBCOMMITTEE OF THE COMMITTEE ON FOREIGN RELATIONS,  
*El Paso, Tex.*

The subcommittee met, pursuant to the call of the chairman, at 10.30 o'clock a. m., in the county court room, courthouse, El Paso, Tex., Senator A. B. Fall presiding.

Present: Senator A. B. Fall and Senator Marcus A. Smith, and Dan M. Jackson, Esq., clerk of the subcommittee.

## TESTIMONY OF MR. W. S. MURPHY.

(Was duly sworn by Dan M. Jackson, Esq., clerk of the subcommittee, duly authorized thereto.)

Senator FALL. Mr. Murphy, are you a citizen of the United States?

Mr. MURPHY. Yes, sir.

Senator FALL. What State are you a native of?

Mr. MURPHY. Mississippi.

Senator FALL. What is your business?

Mr. MURPHY. Telegraph operator and manager.

Senator FALL. Where are you stationed?

Mr. MURPHY. Columbus, N. Mex.

Senator FALL. How long have you been in Columbus?

Mr. MURPHY. A little better than four years.

Senator FALL. Were you in Columbus, N. Mex., on or about the 9th of March, 1916?

Mr. MURPHY. Yes, sir.

Senator FALL. What were you doing at that time?

Mr. MURPHY. At that time I was telegraph operator for the El Paso & Southwestern; I did the railroad telegraphing and that of the Western Union Telegraph Co.

Senator FALL. Where were you living, with reference to your office?

Mr. MURPHY. I was living at the Columbus Hotel, about two blocks north of the depot.

Senator FALL. Just prior to March 9 were there any messages received by you, or through you, from any point with reference to a prospective attack upon the town of Columbus?

Mr. MURPHY. Why, Senator, there was, to the best of my remembrance, a telegram was received from military headquarters at Douglas.

Senator FALL. Douglas, Ariz.?

Mr. MURPHY. Yes, sir; Douglas, Ariz., to the commanding officer of the Thirteenth Cavalry to the effect that Villa and a number of men, I don't recollect the number, were down about Boca Grande. That was a day or two before the raid; I can not recollect the date.

Senator FALL. Boca Grande?

Mr. MURPHY. Yes, sir.

Senator FALL. You don't know exactly how long before the raid it was?

Mr. MURPHY. No, sir; I can not recollect, Senator; but a day or two.

Senator FALL. More than one day?

Mr. MURPHY. Yes, sir; at least two.

Senator FALL. And it was addressed to the military commander?

Mr. MURPHY. Yes, sir.

Senator FALL. Who was the commander?

Mr. MURPHY. Col. Slocum—H. J. Slocum.

Senator FALL. Was that telegram, to your knowledge, delivered?

Mr. MURPHY. Yes, sir; by me.

Senator FALL. By yourself, and it notified the commander that there were a number of Mexicans?

Mr. MURPHY. Yes, sir.

Senator FALL. Over at Boca Grande. Do you know, or have you ever had pointed out to you, what the Boca Grande is; do you know what it is?

Mr. MURPHY. I understand it is a river down there, the Boca Grande River.

Senator FALL. About how far was that from Columbus, or from the Gibson ranch, if you know?

Mr. MURPHY. I don't know about the Gibson ranch, Senator, but my understanding is that it is about approximately 30 miles from Columbus.

Senator FALL. You know where the Gibson ranch is?

Mr. MURPHY. By direction only; I have never been there.

Senator FALL. You know approximately the distance from Columbus?

Mr. MURPHY. I think about 14 miles.

Senator FALL. In a southwesterly direction?

Mr. MURPHY. Yes, sir.

Senator FALL. Columbus is how far from the international boundary line?

Mr. MURPHY. My understanding is about two miles and a half.

Senator FALL. In the United States?

Mr. MURPHY. Yes, sir.

Senator FALL. In the State of New Mexico?

Mr. MURPHY. Yes, sir; north of the boundary.

Senator FALL. And in the State of New Mexico?

Mr. MURPHY. Yes, sir.

Senator FALL. The Gibson ranch is on the international boundary line?

Mr. MURPHY. I am not sure.

Senator FALL. Did this telegram state who this army of men were, who they are supposed to be—Villistas or Carrancistas?

Mr. MURPHY. I don't recollect, Senator.

Senator FALL. Now, did this matter seem to be one of common knowledge, or within the knowledge of any other person whom you know—that is, that there was a proposed attack upon Columbus?

Mr. MURPHY. Why, I don't know about the proposed attack, Senator, but it is my belief that it was generally known that this bunch of Villistas were in that neighborhood and some were of the opinion that they might attack Columbus, and others were of the opinion they would be afraid to attack Columbus with the Thirteenth Cavalry there.

Senator FALL. Do you know Mr. George Sees?

Mr. MURPHY. Yes, sir.

Senator FALL. Did you see him in or around Columbus at that time?

Mr. MURPHY. He came to Columbus at least three days prior to the raid.

Senator FALL. Who was he?

Mr. MURPHY. He was an Associated Press correspondent.

Senator FALL. Did you have a conversation with him?

Mr. MURPHY. Why, I don't recollect any particular conversation.

Senator FALL. Did you learn what his business was there?

Mr. MURPHY. Yes, sir.

Senator FALL. What was his business there?

Mr. MURPHY. He knew that the Villistas were down in that section, and he thought, I guess, there would be something startling take place down there and wanted to be on the ground to cover the story for the press association.

Senator FALL. Do you know whether he attempted to make any arrangements to cover the story?

Mr. MURPHY. Yes, sir.

Senator FALL. What arrangements did he make?

Mr. MURPHY. On the evening of the raid; that is, on the afternoon late, he sent a telegram to an operator of the Associated Press, who was said to be an expert in the telegraph business.

Senator FALL. What was his name?

Mr. MURPHY. Van Camp.

Senator FALL. He was said to be very expert?

Mr. MURPHY. Yes, sir.

Senator FALL. And Sees, the Associated Press correspondent, wired Van Camp?

Mr. MURPHY. Yes, sir; and later wired him not to come.

Senator FALL. Why did he wire him not to come?

Mr. MURPHY. He wired him because he found out I could handle the matter there.

Senator FALL. After experience he found that you were qualified to handle the matter?

Mr. MURPHY. Yes, sir.

Senator FALL. And he wired Van Camp not to come?

Mr. MURPHY. Yes, sir.

Senator FALL. Did Van Camp come?

Mr. MURPHY. Yes, sir.

Senator FALL. Did he assist in handling the news story?

Mr. MURPHY. Very materially; yes, sir.

Senator FALL. Did Sees, as Associated Press correspondent, send out any stories before the raid?

Mr. MURPHY. Yes, sir.

Senator FALL. What story did he handle?

Mr. MURPHY. Why; one I can recollect, Senator. was telling of the hanging of Mr. Corbett and Mr. McKinney down on one of the Palomas Land & Cattle Co. ranches in the Boca Grande district. That is one that I recollect.

Senator FALL. What time did Van Camp arrive, or when did he arrive?

Mr. MURPHY. The train at that time, I believe, got to Columbus at 11.45, or approximately 11.45; he came on that train.

Senator FALL. How long was that prior to the raid?

Mr. MURPHY. Well, the best estimate we have of the time of the raid was about between 4 and 4.30.

Senator FALL. In the morning?

Mr. MURPHY. Yes, sir.

Senator FALL. He arrived at 11?

Mr. MURPHY. That would make it approximately five hours before the attack.

Senator FALL. When did you first see Van Camp?

Mr. MURPHY. Between 6 and 7 in my office.

Senator FALL. After the raid.

Mr. MURPHY. Yes, sir; he had gotten to the office before I had.

Senator FALL. He was inside?

Mr. MURPHY. Inside; yes, sir.

Senator FALL. What was he doing?

Mr. MURPHY. He was in the office looking the instruments over: there were several wires, some we used exclusively for the purpose of the railroad company in the transaction of their business, and the other wires were devoted to the transaction of the Western Union Telegraph Co.'s business, handling public messages, and he was there trying to find out which one of those wires was the commercial wire. He had never been in the office before and was not familiar with the switchboard location of the wires or instruments and had to feel his way to find out which one of the wires he could use.

Senator FALL. You showed him, did you?

Mr. MURPHY. Why, he had it located when I got there.

Senator FALL. What was he doing with the wires?

Mr. MURPHY. Why, he was sending some stuff, or started shortly after I got there, some dispatch.

Senator FALL. Concerning the raid?

Mr. MURPHY. Yes, sir.

Senator FALL. Where was Sees at this time?

Mr. MURPHY. Sees, I expect, was out gathering facts.

Senator FALL. And Van Camp sending it over the wire?

Mr. MURPHY. Yes, sir; and Van Camp also later in the day went out and gathered story-matter himself.

Senator FALL. Did you notice anything unusual in the way of a fire, in or near Columbus prior to the raid, the evening before?

Mr. MURPHY. Yes, sir.

Senator FALL. What was that?

Mr. MURPHY. I stopped there—had a room at the Columbus Hotel. and my room faced the east, or rather there was a window to the east. I don't recollect now why I went to my room about 7 o'clock,

but I went up there approximately 7, maybe 8; I went up and looked out the window and I saw what appeared to me to be a fire, possibly a railroad trestle or bridge. I hurried down to the station and on the way down there I met young McCullough, the son of the section foreman of the El Paso and Southwestern Railroad Co., and I told him to go and tell his father to come to the office, that I thought there was a bridge on fire, and I knew that he would like to know it. After that I went into the office, and the Drummers' Special was leaving El Paso, or rather getting ready to leave El Paso, and as customary when a train leaves a terminal, they have to have what is called a clearance before they can leave a station, and just as I got in the office I heard the El Paso operator at the Union Depot ask the dispatcher at Douglas, Ariz., if it was all right to clear No. 7, and when I heard that I broke in and told him no, and I told him why, and in the meantime I stated to Mr. McCullough, the section foreman, I told the dispatcher I thought there was a bridge on fire, and he said there were no bridges there and I was mistaken.

Senator FALL. You were not familiar with the line there?

Mr. MURPHY. No, sir; I wanted to play safe in order to prevent a collision, or a wreck, if I could prevent it. Anyway, Mr. McCullough, the section foreman, thought it best to go down there and see what the fire was, what caused it; so he went down there and he discovered it was the grass on fire, apparently caught from some unknown source, and he came back and reported it was the grass on fire, and at that time the train dispatcher had released the Drummers' Special No. 7, telling them the track was all right; they could proceed.

Senator FALL. Do you know whether at that time there was a barb-wire fence along the international boundary, along the boundary line?

Mr. MURPHY. I understand there has been.

Senator FALL. Was there any along the right of way?

Mr. MURPHY. There is one along there, and there was two fences along the right of way of the El Paso and Southwestern Railway at that time.

Senator FALL. Do you know whether that fence was intact about the scene of the fire?

Mr. MURPHY. I can not really tell you.

Senator FALL. You don't know yourself?

Mr. MURPHY. No, sir.

Senator FALL. Do you know, or did you know any Mexican telegraph operator at that time in that vicinity?

Mr. MURPHY. Yes, sir.

Senator FALL. What operator?

Mr. MURPHY. Why, I don't recall the man's name; he was introduced to me by somebody, I don't recollect now by whom, as being a telegraph operator for the Carranza Government stationed at Palomas Station, a little station in Chihuahua, just south of Columbus, Luna County, N. Mex.

Senator FALL. Did he come to the office the evening before the raid?

Mr. MURPHY. Yes, sir; between, I think, 8 and 9 o'clock he came to my office and the man having been pointed out to me as a telegrapher, even though a different nationality, etc., I guess he felt like

we were sort of brothers in misery, being both telegraph operators. he came in my office I suppose in the spirit of friendliness trying to get me out of trouble. I knew no Spanish whatever and from what I could gather from him he knew Villa was around in the neighborhood and was trying to get me out of the way.

Senator FALL. You think he did that in the spirit of friendliness to warn you to get out the way?

Mr. MURPHY. I understood it that way; yes, sir.

Senator FALL. Trying to tell you of Villa's prospective raid?

Mr. MURPHY. Yes, sir.

Senator FALL. Do you know whether any of the citizens there at Columbus received any messages concerning the proposed raid about that time before the raid occurred?

Mr. MURPHY. Yes, sir.

Senator FALL. Who?

Mr. MURPHY. I remember one distinctly, Mr. S. H. Birchfield, commonly known as Uncle Steve, who lives in El Paso, rather, his family lives here; he spent part of his time here and part of it on the ranch east of Columbus.

Senator FALL. What was the purport of the telegram that he received?

Mr. MURPHY. To the best of my knowledge, Senator, the message was to the effect his relatives here—whoever had sent the message seemed to have some knowledge of this pending raid and they were very much uneasy about him and they wanted to know how he was and they suggested that he come to El Paso; that they thought it was very much safer.

Senator FALL. Do you know whether there were any military telegrams received from headquarters at El Paso by Col. Slocum?

Mr. MURPHY. I don't recollect, Senator; from the El Paso headquarters?

Senator FALL. The only military telegram you recall was one from Douglas, Ariz., about two days before the attack?

Mr. MURPHY. Yes, sir; at that time I will say the Columbus military was under the jurisdiction of the commanding officer at Douglas.

Senator FALL. And not at El Paso?

Mr. MURPHY. No, sir.

Senator FALL. Where were you about 4 o'clock in the morning?

Mr. MURPHY. I was in the Columbus Hotel.

Senator FALL. Did anything unusual occur there?

Mr. MURPHY. Well, sir, I woke up and was startled, of course.

Senator FALL. What startled you?

Mr. MURPHY. Why, guns firing; it sounded just a little bit like thunder; that is, when the volleys were fired it sounded a little bit like thunder and worse, too.

Senator FALL. It woke you up?

Mr. MURPHY. Absolutely.

Senator FALL. Did you remain in the hotel, or get out?

Mr. MURPHY. I stuck around there a little while, Senator, but I thought the Villistas were coming up there, and knew naturally, being a place where they would look for a number of people in one place and could make a good killing at one time, I decided I had

better take my chances in the open, and I went out in a north-westerly direction, thinking possibly I could get over to a friend's house that I was satisfied had some arms, that was one thing, and then another thing there was a large draw, or arroyo, drain that would place me below the level of the ground and be safer.

Senator FALL. Well, what did you see, if anything, when you got out?

Mr. MURPHY. When I got out, when I first got out of the house; it was a two-story-affair; I went down the steps as noiselessly as possible, thinking there might be some of them sticking around to pot some of us; I went out the front, it faced north, went to the east side, looked around the house and at that point, I don't know whether it was intended for me or not, but there was a bullet whistled by me pretty close, and I decided I had business a little further on, and then is when I went to this place just mentioned.

Senator FALL. You made your way to your friend's house finally?

Mr. MURPHY. Yes; rapidly, and on the way over there I got pretty confused, it was dark, you know, and I ran into three or four mesquite bushes and upset myself several times; I got approximately a block and a half from this hotel, or I guess 25 or 30, maybe 50, shots came; afterwards in discussing them with military people they told me Villa's machine guns had been trained right down there in my direction, and I stayed there a while and thought maybe there would be more of it and I would be safer on the ground, I stayed there a little while and then went a little further, then got down again and then went on again.

Senator FALL. You advanced in rushes?

Mr. MURPHY. Yes, sir; to the rear. When I was lying there I saw a fire; they had set fire to a store at that time that went under the name of Lemon & Payne. They ran a store there, and just a little after that I heard some voices and I recognized one as the young man that worked in the depot with me, and he in company with Mr. R. W. Elliott. I did not know what they were doing over there, I was glad to see them and they took me over to Mr. Elliott's house. Mr. Elliott has an adobe and semirock house building; we all went over there; quite a few people in there besides those I just mentioned; a couple of families were in there, and we watched the show from there.

Senator FALL. Could you see what was going on?

Mr. MURPHY. Why, we could see the men moving out there, but it was a little too far to distinguish faces or anything. We could see the people moving about.

Senator FALL. You remained there until about 6 or 7 o'clock in the morning when you went to your office and found Van Camp trying to work the wires?

Mr. MURPHY. Yes, sir.

Senator FALL. Did you know a telephone operator, a lady?

Mr. MURPHY. Yes, sir; a Mrs. Parks.

Senator FALL. Yes; Mrs. Parks.

Mr. MURPHY. Yes, sir.

Senator FALL. There was a telephone line from Columbus to Deming, N. Mex.?

Mr. MURPHY. Yes, sir.



Senator FALL. Do you know where Mrs. Parks is now?

Mr. MURPHY. Why, Mr. Parks is somewhere up in Washington; I don't know whether she is with him or not, and I don't recollect the name of the place, but if it is valuable to you to have that information, I can find out.

### TESTIMONY OF MR. S. H. McCULLOUGH.

(The witness was duly sworn by Dan M. Jackson, Esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. Are you a citizen of the United States?

Mr. McCULLOUGH. I am.

Senator FALL. Where do you live?

Mr. McCULLOUGH. Columbus, N. Mex.

Senator FALL. Of what State are you a native?

Mr. McCULLOUGH. Louisiana.

Senator FALL. Where were you on about March 9, 1916?

Mr. McCULLOUGH. Columbus, N. Mex.

Senator FALL. What was your business at that time?

Mr. McCULLOUGH. Section foreman of the El Paso & South-western.

Senator FALL. Were you called, or consulted on the afternoon of March 8 by the telegraph operator, Mr. Murphy at that place?

Mr. McCULLOUGH. I was.

Senator FALL. Concerning a fire along the right of way?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. Did you make any investigation as to that fire?

Mr. McCULLOUGH. I did.

Senator FALL. What was the result of your investigation?

Mr. McCULLOUGH. As soon as I was notified, Senator, I went down to the tool house and got my motor car out and got three Mexicans and taken my son with me, and there was a couple of soldiers happened to be there at the tool house, they suggested they would go with me and I went out about two miles and a half east of Columbus, maybe a little bit more, a mile and two-thirds, and we found it to be grass. The grass was kinder high and rank on the right of way. The grass was burning on the north side of the track, and I fought the fire out, put it out, and turned back to Columbus and reported to the dispatcher in Douglas what the fire was and that I had put it out.

Senator FALL. Was there a fence along the right of way?

Mr. McCULLOUGH. Yes, sir; a fence on each side.

Senator FALL. Did you notice the condition of the fence?

Mr. McCULLOUGH. Not that night, because it was dark and we were busy fighting the fire and paid no attention to it.

Senator FALL. Did you have your attention called to the condition of the fence at any time soon thereafter?

Mr. McCULLOUGH. The next day.

Senator FALL. What was the condition of the fence at about the location of the fire?

Mr. McCULLOUGH. Well, there was a small bridge about a mile east of Columbus, a little bit more than a mile east of the depot and at the west end of this bridge the fence was cut the next day.

Senator FALL. You saw it the next day?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. You don't know when it was cut?

Mr. McCULLOUGH. No, sir; but I can say it was not cut on the night of the 9th, because I came along there—I mean the day of the 8th—because in returning from work I would have seen it.

Senator FALL. Then it must have been cut that night?

Mr. McCULLOUGH. Yes, sir; and then there is another bridge about 1 mile farther on east and the fence was cut there, and the fence was cut between the first bridge and Columbus—cut in three places.

Senator FALL. The right of way fence?

Mr. McCULLOUGH. Yes, sir; on both sides.

Senator FALL. Within a distance of 3 miles from Columbus?

Mr. McCULLOUGH. In 3 miles, about every mile and a half.

Senator FALL. Was the fence cut on both sides of the right of way?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. Did you notice any tracks there?

Mr. McCULLOUGH. Horse tracks; they turned right across the tracks.

Senator FALL. Through the gap in the fence?

Mr. McCULLOUGH. Yes; from one side to the other.

Senator FALL. Where were you on the night of the 8th and morning of the 9th?

Mr. McCULLOUGH. I was at home in the section house at Columbus.

Senator FALL. How far is the section house from the railroad station?

Mr. McCULLOUGH. Just east of the depot, a rock's throw from the depot.

Senator FALL. Just east?

Mr. McCULLOUGH. Yes; on the south side of the tracks.

Senator FALL. The railway in Columbus?

Mr. McCULLOUGH. Just south of the railroad and east of the depot.

Senator FALL. Your house was almost within the military encampment?

Mr. McCULLOUGH. Yes, sir; the hospital was just back of our house, the Thirteenth Cavalry hospital.

Senator FALL. Now, was there any military encampment on the north side of the tracks?

Mr. McCULLOUGH. No, sir; some officers lived on the north side of the track.

Senator FALL. The principal portion of the town of Columbus lies on the north side of the tracks?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. The encampment is on the south side of the track?

Mr. McCULLOUGH. Yes.

Senator FALL. What occurred, if anything, during that night, out of the ordinary?

Mr. McCULLOUGH. There was a whole lot occurred, Senator. I was up quite late that night, went out to the fire and put the fire out, and when I got back from the fire I was a little bit hungry and went over to a restaurant, my son and I, and got a little lunch.

Senator FALL. A restaurant in town on the north side of the tracks?

Mr. McCULLOUGH. Yes, sir; and came back and before I went to bed—I had not had a chance to read the paper—I read the paper, and it was nearly 12 o'clock before I went to bed. I noticed when I went over in town it looked to me like the town was full of strange Mexicans and I woke my wife up—I did not wake the children—I woke her and told her that things did not look good to me, and of course it was common knowledge; we had all heard about these people being killed or harmed over around Boca Grande; it was rumored quite frequently that Villa was down south of Columbus and I told her that things did not look good and she kinder laughed at me for being uneasy; she stated that Villa would not attack this town and I dismissed it that way and went to sleep.

Senator FALL. You were practically within the military encampment?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. Where your house was?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. You were awake until about 12 o'clock?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. Was there any activity out of the ordinary in the military encampment?

Mr. McCULLOUGH. I did not notice any; none at all.

Senator FALL. They usually had sentinels around the camp?

Mr. McCULLOUGH. They always had sentinels; I understood they always had sentinels.

Senator FALL. You noticed no extra forces?

Mr. McCULLOUGH. I did not notice any extraordinary precautions.

Senator FALL. When you went over to the restaurant did you notice any soldiers on duty in the town itself?

Mr. McCULLOUGH. No, sir.

Senator FALL. You noticed a large number of Mexicans?

Mr. McCULLOUGH. I noticed a good many strange Mexicans in town all day on the 8th and going out to work that morning I met two bunches, one four and one three, going to Columbus on foot, and the bunch of three men stopped me, waved their hands; I did not know what they wanted; I stopped and they wanted water: I gave them water out of my keg; and then I did not hear these first shots as I was up late and my wife woke me up and says, called me by my given name, she says, "Sam, what in the world does all this mean?" It took me a little while to get thoroughly awake and when I did get awake I heard Mexicans hollering, "Viva Mexico, viva Villa," and the shooting. I said it simply means Villa is attacking the town; get up and get the children up; and we got off the bed and I put the mattress down on the floor; I got my wife and children down on the mattresses, and there was seven shots hit my house and passed through the house while we were in there.

Senator FALL. Seven shots?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. None of them injured you; you escaped unhurt?

Mr. McCULLOUGH. Yes, sir; we escaped unhurt; none of us injured; we stayed there until a building was set on fire and that lit

up the town; then I crawled on my hands and knees in the house trying to find some way to get out; I would have gone out if it had not been for my wife; she would not go; she said she thought it would be safer to stay in the house; after these buildings were fired I crept to the back door and ventured to open the door a little bit and stuck my head out; I seen some soldiers going through my yard; they were American soldiers; I hollered to them and asked if it was safe for me to leave and get my wife and children out and they said it was not safe, but it was not safe to stay in the house, as the Mexicans were in the ditch just west of the house, shooting down town, and they said go fast and go to the camp; I did not know where we were going; we left the house; I got right to the corner of the hospital and some one, I think it was the agent, Mr. Jiggers, he hollered at me to come in the hospital, and I taken my wife and went in the hospital and stayed there.

Senator FALL. That was the military hospital?

Mr. McCULLOUGH. Yes, sir; the Thirteenth Cavalry.

Senator FALL. That was on the south side of the tracks?

Mr. McCULLOUGH. Yes, sir; just directly south of my house.

Senator FALL. These first shots that awakened you; were they in town or in the military encampment?

Mr. McCULLOUGH. In the military camp; she said she heard the first shots fired somewhere about headquarters, southwest of my house about a block.

Senator FALL. Now, the general course of the railroad there is east and west, is it not?

Mr. McCULLOUGH. Yes, sir; east and west.

Senator FALL. And you have referred to this ditch on the west; there was an old railroad right of way embankment there?

Mr. McCULLOUGH. Yes, sir; this ditch runs north and south.

Senator FALL. That embankment or grade extended practically from Deming south and across to the line; does it not?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. And on the west side of that embankment the water eroded quite an arroyo or ditch?

Mr. McCULLOUGH. Yes, sir; it is a deep ditch, about 4 or 5 feet deep, 6 feet.

Senator FALL. So parties could travel, several men abreast, that ditch?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. Then they had the military encampment and town immediately to their east?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. They could travel north and south any way they pleased?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. And rake the streets of Columbus from the security of that ditch?

Mr. McCULLOUGH. Yes, sir.

Senator FALL. When did you leave the hospital where you had taken refuge with your family?

Mr. McCULLOUGH. Oh, I went the next morning. We began to get out of there a little after sunup, about sunup, a little bit after

sunup; I can not say what time it was; we thought it was safe to venture out.

Senator FALL. That was the morning of the raid?

Mr. McCULLOUGH. Yes, sir; and nosed around to see what had happened?

Senator FALL. What did you see?

Mr. McCULLOUGH. You mean, Senator, what did I see in town?

Senator FALL. Did you see any dead people?

Mr. McCULLOUGH. Yes, sir; seen a good many dead people, seen quite a lot of property destroyed, stores looted and burned.

### TESTIMONY OF MR. LEE RIGGS.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. Are you a citizen of the United States?

Mr. RIGGS. Yes, sir.

Senator FALL. What State are you a native of?

Mr. RIGGS. Texas.

Senator FALL. Where do you live?

Mr. RIGGS. Columbus, N. Mex.

Senator FALL. How long have you resided at Columbus?

Mr. RIGGS. Six years.

Senator FALL. What is your business?

Mr. RIGGS. Deputy collector of customs.

Senator FALL. How long have you been deputy collector of customs?

Mr. RIGGS. Six years.

Senator FALL. Have you a family.

Mr. RIGGS. Yes, sir.

Senator FALL. Where were you on or about March 9, 1916?

Mr. RIGGS. In Columbus, N. Mex.

Senator FALL. Is your office in your residence?

Mr. RIGGS. Yes, sir.

Senator FALL. At Columbus. Just where is your residence situated.

Mr. RIGGS. My residence is situated west of the depot, about a couple of hundred feet, a little west of the depot, southwest.

Senator FALL. Where is it situated with reference to the old railroad grade that runs north and south there?

Mr. RIGGS. The railroad grade is about 40 feet east of it; it faces on the grade.

Senator FALL. Is there an arroyo there between your house and the grade?

Mr. RIGGS. There is.

Senator FALL. How do you cross that arroyo?

Mr. RIGGS. Have a foot bridge.

Senator FALL. How far is it from your house to the military hospital, at that time; as it existed at that time?

Mr. RIGGS. About 150 or 200 yards.

Senator FALL. And your house is almost immediately west; in a westerly direction, I mean.

Mr. RIGGS. Yes, sir; northwest.

Senator FALL. Your house is how far south of the railroad tracks?

Mr. RIGGS. Probably 75 feet.

Senator FALL. So that your house is approximately within the corner made by this arroyo on the east of the old railroad grade and the present line of the railroad running east and west?

Mr. RIGGS. Yes, sir.

Senator FALL. Mr. Riggs, I suppose that you retired as usual on the night of the 8th of March, 1916?

Mr. RIGGS. I can not say that I did.

Senator FALL. Well, why did you not retire with the same feeling of security that usually you would have?

Mr. RIGGS. That day Col. Slocum had sent a messenger down to the Boca Grande, he went to the Gibson ranch and was instructed to get in behind these Villistas and follow them and see where they went to. This messenger returned and he made his report to Col. Slocum about 8 o'clock that evening.

Senator FALL. Now, who was this messenger?

Mr. RIGGS. He was a Mexican.

Senator FALL. Do you recall his name?

Mr. RIGGS. I do not recall his name.

Senator FALL. Favela.

Mr. RIGGS. No, sir.

Senator FALL. Gomez?

Mr. RIGGS. No, sir.

Senator FALL. You know the Favela brothers?

Mr. RIGGS. Yes, sir; they had made a report two or three days before.

Senator FALL. Juan Favela?

Mr. RIGGS. Yes, sir; that was two or three days before he made his report.

Senator FALL. Were you present when he made his report?

Mr. RIGGS. Yes, sir.

Senator FALL. Do you know what the purport of this report was?

Mr. RIGGS. Yes, sir.

Senator FALL. You speak Spanish, don't you?

Mr. RIGGS. Yes, sir.

Senator FALL. Col. Slocum was not familiar with the Spanish language, was he?

Mr. RIGGS. No, sir; I don't believe he was.

Senator FALL. Did you do any interpreting at any time for Col. Slocum, or did you take any notes of any report made to him?

Mr. RIGGS. Yes, sir.

Senator FALL. You write shorthand?

Mr. RIGGS. Yes, sir.

Senator FALL. Did you take any shorthand notes of any report made to him?

Mr. RIGGS. I took shorthand notes of the report.

Senator FALL. The last report or the first?

Mr. RIGGS. The last one.

Senator FALL. You did not of the first report made by Juan Favela?

Mr. RIGGS. No, sir.

Senator FALL. But you know something of the purport of that report, do you?

Mr. RIGGS. Yes, sir.

Senator FALL. What was it?

Mr. RIGGS. He stated to the colonel that there was a body of Villistas had passed down by the Boca Grande and then south of Palomas and the main body had turned toward Guzman.

Senator FALL. This is Favela, now?

Mr. RIGGS. No, sir.

Senator FALL. Go ahead with this report. That was the report on this afternoon?

Mr. RIGGS. Made the evening before the raid.

Senator FALL. Made by a Mexican whose name you don't recollect?

Mr. RIGGS. And there was a party gone in the direction of Palomas. This Mexican did not know how many, but he estimated probably 30 or 40.

Senator FALL. The Villa party; he was following them, was he not?

Mr. RIGGS. Yes, sir; he said he followed them.

Senator FALL. He had been sent down there to follow them and ascertain their movements?

Mr. RIGGS. Yes, sir.

Senator FALL. His report was to the effect that they had separated?

Mr. RIGGS. Yes, sir.

Senator FALL. And a portion of the band had gone down toward Guzman?

Mr. RIGGS. The main body.

Senator FALL. And the others were approaching Palomas?

Mr. RIGGS. Yes, sir.

Senator FALL. Were there any soldiers at Palomas?

Mr. RIGGS. No, sir; there were, as well as I remember, some customs men over there; a small number.

Senator FALL. Where was the nearest Carranza garrison?

Mr. RIGGS. I don't know of any nearer than Casas Grande at that time.

Senator FALL. But there were Mexican customs officials at Columbus?

Mr. RIGGS. I think there were customs officials there; yes.

Senator FALL. Now, you know the location of the Gibson ranch?

Mr. RIGGS. Yes, sir.

Senator FALL. Where is the Gibson ranch located with reference to Columbus?

Mr. RIGGS. Almost west of Columbus.

Senator FALL. How is it located with reference to the international boundary?

Mr. RIGGS. The ranch building is right on the boundary; within a few feet.

Senator FALL. How far is the Gibson ranch from Columbus?

Mr. RIGGS. About 14 miles.

Senator FALL. Almost due west?

Mr. RIGGS. Almost due west.

Senator FALL. How far is Columbus from the international boundary?

Mr. RIGGS. Three miles from the line.

Senator FALL. Is the international boundary fenced?

Mr. RIGGS. There is a fence along there.

Senator FALL. There was at that time?

Mr. RIGGS. Yes, sir.

Senator FALL. There is a gate in that fence south of Columbus?

Mr. RIGGS. Yes, sir; a gate south of Columbus.

Senator FALL. Where is that gate with reference to the old railroad grade?

Mr. RIGGS. The railroad grade passes through the gate.

Senator FALL. Do you know who had sent this Mexican down there to follow the Villistas and make a report?

Mr. RIGGS. Col. Slocum.

Senator FALL. Col. Slocum. When did he send him?

Mr. RIGGS. It was on March 8.

Senator FALL. Who furnished the Mexican to Col. Slocum; he wasn't a soldier, was he?

Mr. RIGGS. No, sir.

Senator FALL. Where did he live, if you know, this Mexican?

Mr. RIGGS. I don't know where he lived.

Senator FALL. Now, as to this Favela report that was made two or three days before, what was the purport of that report?

Mr. RIGGS. Favela had seen these Mexicans, these Villistas, down on the Boca Grande. He was down there rounding up cattle with these men that were killed.

Senator FALL. Corbett and McKinney?

Mr. RIGGS. Corbett and McKinney and the other man.

Senator FALL. He made his escape?

Mr. RIGGS. He made his escape and came direct to Columbus.

Senator FALL. Where is the Boca Grande; what is it; what do you mean by Boca Grande?

Mr. RIGGS. It is the Casas Grande River; it comes out from down about Casas Grande and flows north and then turns east and finally turns south back into Lake Guzman.

Senator FALL. And flows north through a gap in the mountain?

Mr. RIGGS. I don't know about that.

Senator FALL. Where it flows north is what you call the Boca Grande?

Mr. RIGGS. I think so.

Senator FALL. Then it turns east through the mountains?

Mr. RIGGS. I think it does.

Senator FALL. Then flows south from the mountains and flows into Lake Guzman?

Mr. RIGGS. I believe it does, according to the map. I have never been down there.

Senator FALL. Where is the Boca Grande as it passes through the mountains south from the Gibson Ranch?

Mr. RIGGS. I am not positive about that.

Senator FALL. You know where it is; you can see it from Columbus?

Mr. RIGGS. It must be about 35 miles.



Senator FALL. In what direction?

Mr. RIGGS. It must be a little south of the Gibson Ranch, or southwest.

Senator FALL. And in a general southwesterly direction from Columbus?

Mr. RIGGS. Yes, sir.

Senator FALL. It is much nearer to the Gibson ranch than the town of Columbus?

Mr. RIGGS. Yes, sir; at that point.

Senator FALL. Now, Mr. Riggs, you said you had heard these reports; were you not satisfied when you heard that the main body of these Villistas was going toward Guzman, which was away from Columbus?

Mr. RIGGS. I thought this small body might attack Palomas.

Senator FALL. But Palomas is across into Mexico?

Mr. RIGGS. Yes, sir.

Senator FALL. How far from the line?

Mr. RIGGS. About 4 miles south of the line.

Senator FALL. Then it is about 7 miles from Columbus?

Mr. RIGGS. It is about 7 miles from Columbus.

Senator FALL. You did not feel any danger to yourself or family in Columbus from an attack on Palomas, did you?

Mr. RIGGS. I can not say that I did; still, at the same time I was a little nervous.

Senator FALL. Now, what, if anything, occurred to alarm you that night, and about when?

Mr. RIGGS. The first we knew of any trouble about 4.30 I heard a shot directly south of the customhouse.

Senator FALL. Four-thirty in the morning?

Mr. RIGGS. Yes, sir; that was the morning of the 9th.

Senator FALL. Now, the customhouse was where you were sleeping?

Mr. RIGGS. Yes, sir.

Senator FALL. That is, your office and residence were in the same building?

Mr. RIGGS. Yes, sir.

Senator FALL. You heard the shooting where?

Mr. RIGGS. It must have been right south of us.

Senator FALL. That would be on the south side of the tracks from town?

Mr. RIGGS. Yes, sir.

Senator FALL. And on the same side of the tracks as the military encampment?

Mr. RIGGS. The same side.

Senator FALL. How far did it appear to be from the customhouse?

Mr. RIGGS. It could not have been very far; I should not think over a couple hundred feet, maybe 100 yards.

Senator FALL. Well, what followed the firing of this first shot?

Mr. RIGGS. A few seconds afterward, the firing opened up all over town and then the Villistas began to rush by the customhouse, they were yelling "Viva Villa" and "Viva Mexico" and "Mata los gringos."

Senator FALL. That is, hollered for Villa and hollered for Mexico, and to kill the Americans?

Mr. RIGGS. Our baby got to crying, we had a baby six months old, we were busy with her for some time, could not find the milk, or alcohol to warm it, and did not dare to strike a light.

Senator FALL. Why not?

Mr. RIGGS. These Villistas were all around the house and I just took it for granted that they might not suspect anyone lived there, they all knew it was an office.

Senator FALL. You thought if you made no noise in the house they might think it was unoccupied?

Mr. RIGGS. Might get by.

Senator FALL. You say they were all around the house; where were they in reference to the arroyo between your house and the railroad grade?

Mr. RIGGS. Some were in the arroyo and some back of the house.

Senator FALL. What did you find around the house, if anything?

Mr. RIGGS. We found shells lying up on a bedroom window the next morning and also found a couple of Mexican hats in the back yard. After we quieted the baby we probably stayed in there some 35 or 40 minutes; firing was going on all around us.

Senator FALL. All of the time?

Mr. RIGGS. Yes, sir; and my wife was begging every minute to get out; it must have been a half hour afterwards that the Mexicans began to come back and our boys were running them back from camp. I heard a machine gun out between our place and the depot and I looked out and saw the machine gun was being operated by our soldiers.

Senator FALL. Where was this machine gun in reference to your house when you saw it?

Mr. RIGGS. Let me see, it was a little north of east, it was trained on the railroad to fire west.

Senator FALL. It was south of the railroad?

Mr. RIGGS. Yes, sir.

Senator FALL. And it was trained west?

Mr. RIGGS. Yes, sir.

Senator FALL. And your house was to the west?

Mr. RIGGS. Yes, sir.

Senator FALL. All right?

Mr. RIGGS. So I let the soldiers know we were in there and we hurriedly dressed and went over to the hospital, so we stayed in the hospital for a little while and while we were in there they brought in a machine gun or two that had jammed and worked on it.

Senator FALL. American machine guns that had jammed?

Mr. RIGGS. Yes, sir.

Senator FALL. Who was in command at the hospital?

Mr. RIGGS. I don't remember.

Senator FALL. Was it an officer or noncommissioned officer, or who?

Mr. RIGGS. I believe it was when we first arrived there.

Senator FALL. Believe it was what?

Mr. RIGGS. A noncommissioned officer, I don't believe there was a commissioned officer there.

Senator FALL. Sergeant, was it not?

Mr. RIGGS. I believe a sergeant, not positive, whether sergeant or private. I don't think there was a commissioned officer there. My wife and I worked with the wounded around there.

Senator FALL. When you were there—pardon me for interrupting you—when you first went in the hospital was there a commissioned officer there?

Mr. RIGGS. I don't remember seeing one.

Senator FALL. Did you see one during the time you were in the hospital?

Mr. RIGGS. A doctor came afterwards, a commissioned officer.

Senator FALL. Now, go ahead, pardon me for interrupting you, you say you and your wife worked with the wounded?

Mr. RIGGS. Yes; a little while, then just as soon as it got daylight outside, I began to look around and somebody brought Bunk Spencer in, a colored man.

Senator FALL. From the Ojitos ranch?

Mr. RIGGS. From the Ojitos ranch.

Senator FALL. In old Mexico?

Mr. RIGGS. Yes, sir.

Senator FALL. What was his condition?

Mr. RIGGS. Bunk had been held a prisoner for several days.

Senator FALL. By whom was he being held prisoner?

Mr. RIGGS. By Villa.

Senator FALL. He made his escape from them after they opened fire?

Mr. RIGGS. Yes, sir; so I secured a statement from Bunk.

Senator FALL. You say you secured a statement, in what form?

Mr. RIGGS. Why, I just took it verbally.

Senator FALL. Did you ever make any notes of that statement?

Mr. RIGGS. Made some notes of it; yes, sir.

Senator FALL. Then, it impressed itself on your mind?

Mr. RIGGS. Yes, sir.

Senator FALL. What was the general tenor of that statement?

Mr. RIGGS. Bunk said he had been with Villa several days and he had escaped that morning; I believe he said there were some 500 Villistas; Villa was with them; and he also said that Villa had made a speech the night before to his men, telling them that the next day they would be in Columbus and would have plenty to drink and there would be American women for the men. That was about the substance.

Senator FALL. He had not been harmed, had he, personally?

Mr. RIGGS. No, sir. Then I went down to see the buildings that had been burned; and saw the men that had been killed, some of them very badly burned.

Senator FALL. Bodies of the Americans which had been burned, where were they?

Mr. RIGGS. Well, Mr. Ritchie's body was lying out in front of the hotel ruined.

Senator FALL. What hotel?

Mr. RIGGS. The Commercial Hotel, the one that had been burnt. His body was badly scorched, and Mr. Miller and Dr. Hart were burned beyond recognition. The body of Dr. Hart, there was nothing but part of his skull left.

Senator FALL. Did you know Dr. Hart?

Mr. RIGGS. Yes, sir.

Senator FALL. Where did he reside, do you know?

Mr. RIGGS. At that time he was residing in El Paso.

Senator FALL. Do you know what his business was?

Mr. RIGGS. He was United States inspector for the Bureau of Animal Industry.

Senator FALL. His official duties called him——

Mr. RIGGS. Called him to Columbus.

Senator FALL. Did you know Mr. Miller?

Mr. RIGGS. No, sir; I did not.

Senator FALL. What time was it when you went in town?

Mr. RIGGS. Probably about 8 o'clock, maybe a little before.

Senator FALL. Did you see any persons from Deming, N. Mex., about that time, or thereafter?

Mr. RIGGS. Yes, sir.

Senator FALL. About when did you first see them?

Mr. RIGGS. It must have been about that time?

Senator FALL. Do you know how they came from Deming?

Mr. RIGGS. Came down in machines.

Senator FALL. Do you know why?

Mr. RIGGS. Yes, sir.

Senator FALL. What was the occasion of their coming?

Mr. RIGGS. They came down to help us out. We had telephoned over there that the town was being attacked.

Senator FALL. How far is Deming from Columbus?

Mr. RIGGS. About 25 miles.

Senator FALL. There is no railroad from Columbus to Deming, is there?

Mr. RIGGS. Not direct; no.

Senator FALL. So, these people had come in an automobile?

Mr. RIGGS. Yes, sir; several automobiles.

Senator FALL. The telephone operator, Mrs. Parks is her name?

Mr. RIGGS. Yes, sir.

Senator FALL. Had telephoned that night during the attack?

Mr. RIGGS. Yes, sir.

Senator FALL. To alarm Deming, and ask assistance?

Mr. RIGGS. Yes, sir.

Senator FALL. About the time you went into town there were Deming people that had come in with automobiles?

Mr. RIGGS. Yes, sir: about that time, they might have come a very little afterwards or a little before.

Senator FALL. Did you notice any papers, memoranda, notebook, or anything of that kind taken from the bodies of any of the Villistas, who were killed there?

Mr. RIGGS. Yes, sir.

Senator FALL. What memoranda did you see?

Mr. RIGGS. I saw a notebook that was taken off a dead Villista that was a diary of their movements for some two months prior to the raid on Columbus.

Senator FALL. Was there anything connected with that notebook or with any other papers taken from the body of the same man which would identify the Mexican who had the notebook? Do you recollect his name?

Mr. RIGGS. I don't recollect it, but if I heard it I would probably remember it.

Senator FALL. Was his name Francisco Prado?

Mr. RIGGS. That's his name; yes, sir.

Senator FALL. Written on the flyleaf of this diary?

Mr. RIGGS. Yes, sir.

Senator FALL. Do you remember the notes in this diary?

Mr. RIGGS. I remember two very distinctly.

Senator FALL. These notes were written in Spanish?

Mr. RIGGS. Yes, sir.

Senator FALL. Of course, you could translate it?

Mr. RIGGS. Yes, sir.

Senator FALL. What were the two happenings that particularly struck you?

Mr. RIGGS. The one, I believe, of January 10, and this stated that "we assaulted the train at Santa Isabel and killed 17 gringos." and the other was something like, I believe, it stated they had attacked a party of Carrancistas at Santa Ana.

Senator FALL. May I just call your attention to a memoranda and see if you recognize it as the notes in this book: "10th—To-day at about 11 a. m. we attacked two trains in Santa Isabel, killing 17 'gringos'; we left afterwards, sleeping in Lago." Is that the note?

Mr. RIGGS. That is the note.

Senator FALL. Eleventh, "11—We left for La Cienega; 12—We left for La Joya; Feb. 15—Hacienda Santa Ana"—that is one of the Hearst properties, an American property—"We defeated the enemy, taking 114 prisoners; more than 80 were killed; they left their horses and arms." That is their note you referred to?

Mr. RIGGS. That is their notes.

Senator FALL. These notes, "March 2, arrived at Colonia Pacheco"; that is one of the colonies?

Mr. RIGGS. Yes, sir.

Senator FALL. An American colony. "3. Left Colonia Pacheco to-day without provisions. 4. Went some 10 leagues to-day, where we found cattle. 5. Left to-day, going 6 leagues, killing enough head (cattle) for provisions. 6. We left the canyon in the afternoon. 7. Arrived to-day at dawn, having traveled all last night and part of to-day without incident of any kind." That was the last note?

Mr. RIGGS. That sounds like the notebook.

Senator FALL. And this notebook was taken from the dead body of a Mexican?

Mr. RIGGS. Yes, sir; taken and turned over to me and I turned it over to a special agent of the Department of Justice.

Senator FALL. Did you see any other papers there in a bag or case of any kind?

Mr. RIGGS. No, sir.

Senator FALL. Did you have your attention called to any paper or correspondence of Francisco Villa with anyone since that taken or found there at Columbus?

Mr. RIGGS. I can not say that I remember anything of that.

Senator FALL. You did not see it?

Mr. RIGGS. No, sir.

Senator FALL. Did you see there later a book? Did you see a bill-book with the name of Tom Evans on it?

Mr. RIGGS. No, sir; I don't believe I saw that; I heard of it; I did not see it.

Senator FALL. Tom Evans was one of the men killed at Santa Isabel?

Mr. RIGGS. Yes, sir.

Senator FALL. When you went in town after the raid was over did you see any Mexican prisoners or did you thereafter see any prisoners?

Mr. RIGGS. I saw some prisoners afterward.

Senator FALL. Who were captured in the town or during the raid?

Mr. RIGGS. I don't know where they were captured.

Senator FALL. They were captured either in retreating or during the firing in town?

Mr. RIGGS. Yes, sir.

Senator FALL. About how many do you recollect?

Mr. RIGGS. I believe I saw six.

Senator FALL. Was there a trial thereafter held of those Mexicans?

Mr. RIGGS. Yes, sir.

Senator FALL. Were you a witness in that trial?

Mr. RIGGS. Yes, sir.

Senator FALL. Where was the trial held?

Mr. RIGGS. Deming, N. Mex.

Senator FALL. And you were a witness?

Mr. RIGGS. Yes, sir.

Senator FALL. Do you know what the result of the trial was?

Mr. RIGGS. Yes, sir.

Senator FALL. What was it?

Mr. RIGGS. Convicted and hung.

Senator FALL. Did you have any interview with these men prior to their trial?

Mr. RIGGS. Yes, sir.

Senator FALL. Where?

Mr. RIGGS. At the Army hospital in Columbus.

Senator FALL. Did you take down any statements that were made by them, or did they make any statements?

Mr. RIGGS. Yes; they made a statement; they stated, five of them stated, well, they all stated they were with Villa on the raid of Columbus and took part in it; one of them claimed, however, that he had been captured at Santa Ana; however, he was the one that was not hung; only five of them were hung, and there was another one hung I did not see.

Senator FALL. One of them stated he was there under duress?

Mr. RIGGS. Yes, sir.

Senator FALL. Compelled by Villa, and he was one of the original six, five of whom were sentenced to death and hung?

Mr. RIGGS. Yes, sir; he was, I believe, sentenced for a life term; I don't know but what he was sentenced to be hung and his sentence was commuted by the governor.

Senator FALL. What was his name, do you remember?

Mr. RIGGS. I can refer to a notebook and tell you?

Senator FALL. Were these men in good bodily condition, able to move around when you interviewed them?

Mr. RIGGS. They were all wounded.

Senator FALL. All wounded?

Mr. RIGGS. Yes, sir; they were on cots.

Senator FALL. They were not able possibly to keep up with the retreat, so that was the reason for their capture?

Mr. RIGGS. Yes, sir. Jose Rodriguez, I believe, was the name of the man that was not hung.

Senator FALL. Do you know where the Moody ranch is?

Mr. RIGGS. Yes, sir.

Senator FALL. Where?

Mr. RIGGS. About 4 or 5 miles west of Columbus on the boundary line.

Senator FALL. Do you know anything about a raid on that ranch prior to the raid on Columbus?

Mr. RIGGS. Yes, sir; the ranch building was burned along in the summer prior to the raiding of Columbus, supposed to have been done by Villistas from Palomas, tracks led across there.

Senator FALL. Were there any casualties during this raid?

Mr. RIGGS. No, sir.

Senator FALL. Nobody hurt?

Mr. RIGGS. There was a man sleeping out on the prairie; he did not stay in the house; he was afraid to stay in the house.

Senator FALL. Did you know Tom Kingsbury?

Mr. RIGGS. Yes, sir.

Senator FALL. Where is he?

Mr. RIGGS. Tom Kingsbury disappeared along in July, 1918, from down on the Palomas Land & Cattle Co. ranch and has never been seen since.

Senator FALL. He was a foreman for the Palomas Land & Cattle Co.?

Mr. RIGGS. Yes, sir.

Senator FALL. That is an American company?

Mr. RIGGS. Yes, sir.

Senator FALL. Tom Kingsbury was an American?

Mr. RIGGS. Yes, sir.

Senator FALL. Texan, wasn't he?

Mr. RIGGS. Yes, sir; I think so, he looked like one.

Senator FALL. You say he looked like one. Do you know anything about the raid on what is known as the "Corner" ranch?

Mr. RIGGS. Yes, sir.

Senator FALL. Where is the "Corner" ranch?

Mr. RIGGS. The Corner ranch is in the south corner of the jog.

Senator FALL. That is where the American international boundary line runs south and then turns west?

Mr. RIGGS. Yes, sir; in that southeast corner. Three Americans were killed there, Andy Peterson, and one named Jensen and Hugh Akara.

Senator FALL. They were killed?

Mr. RIGGS. Their bodies were found; all had been shot.

Senator FALL. When was this?

Mr. RIGGS. That was after the raid; that must have been January, 1917. January, or February, I don't remember.

Senator FALL. Where were the bodies found, in the United States or Mexico?

Mr. RIGGS. From reports, they were found about a half a mile south of the line; it seems that they had been captured at the Corner ranch and taken over there.

Senator FALL. They had been captured in the United States at the Corner ranch and taken across the line and their bodies were found there?

Mr. RIGGS. That is what I got from the reports.

Senator FALL. Who is the owner of the Corner ranch?

Mr. RIGGS. I believe the Warren Bros.

Senator FALL. Warren Bros. of Three Oaks, Mich.?

Mr. RIGGS. Not positive. I think that is part of their property.

Senator FALL. The committee will be in recess until 2 o'clock, but in the meantime witnesses who are here—some are not here from Columbus—will please be in conference with Judge Jackson at his office at 1 o'clock so we can best determine as to the taking of this evidence as rapidly as possible.

#### AFTER RECESS.

The committee met at 2.45 p. m. pursuant to adjournment, all present as in the morning session.

#### TESTIMONY OF MRS. LAURA RITCHIE.

(The witness was sworn by Dan M. Jackson, esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. Mrs. Ritchie, are you a citizen of the United States?

Mrs. RITCHIE. Yes, sir.

Senator FALL. Was your husband a citizen?

Mrs. RITCHIE. Yes, sir.

Senator FALL. Where is he?

Mrs. RITCHIE. He was murdered by the bandits.

Senator FALL. When did this occur, Mrs. Ritchie?

Mrs. RITCHIE. March 9, 1916.

Senator FALL. Where?

Mrs. RITCHIE. In Columbus, N. Mex.

Senator FALL. Were you there at the time?

Mrs. RITCHIE. Yes, sir.

Senator FALL. Living with your husband?

Mrs. RITCHIE. Yes, sir; and my family.

Senator FALL. What were you doing at that time?

Mrs. RITCHIE. Proprietors of the Commercial Hotel.

Senator FALL. Of whom did your family consist?

Mrs. RITCHIE. My husband and three daughters.

Senator FALL. What were the ages of your daughters?

Mrs. RITCHIE. Eight, fifteen, and twenty.

Senator FALL. At that time?

Mrs. RITCHIE. Yes, sir.

Senator FALL. Will you just kindly state for the benefit of the committee, just what occurred on the 9th of March, 1916, at Columbus, N. Mex?

Mrs. RITCHIE. You mean at night?



Senator FALL. Just start in. After supper, say about bedtime on March 8, what occurred that night?

Mrs. RITCHIE. My husband had been sick about three weeks and we had taken turns in taking care of the hotel, so that night he took care of the guests until about half past 10, then I went on and I got a man up that had a call to get a guest up for the morning train, I got up and called him, he had left and I had gone to bed again, had not gone to sleep, when all of a sudden we heard a tremendous shouting, and hollering, and screaming, and the bullets began to strike the hotel and my husband got up and dressed and the children got up and they began to cry, wondering what was the matter, and about the same time the guests appeared in the hall, first one and then another, and Mr. Ritchie tried to quiet them, telling them what he thought it was of course, they were all strangers at the hotel, he tried to tell them the best he could, he thought it was an attack on the town, all this time this shooting was going on, I can not tell you how it sounded, I can not explain the noise, then after that they called "Viva Mexico" and we all ran out to the front of the hotel, the lobby, to see what we could see was going on, and the men all came through with their six-shooters and guns and Mr. Ritchie told the men "We can not shoot, if we do they will perhaps fire the building and kill the women," Mr. Ritchie went downstairs and locked the door, put the bolt across the door that we used at night on the door, he came back upstairs; everybody was in an uproar running all over the hotel, men were running in one part of the hotel and they would run all around to see what they could see, then they were still hollering and then all of a sudden they broke the door down.

Senator FALL. That is the front door downstairs?

Mrs. RITCHIE. Yes, sir; they came running upstairs, I suppose about 50, and they just scattered all over the house, one in one room and one in another; just all over; and Mr. Burchfield, he appeared at the door——

Senator FALL. That was Uncle Steve?

Mrs. RITCHIE. Uncle Steven Burchfield appeared at the door. He told them in Spanish to be quiet; that he would give them his purse and what money that he had and he would give them his bank book, or would give them all the money they wanted; and while they were quarreling over this money——

Senator FALL. Were they quarreling over the money; the blank checks or the bank book?

Mrs. RITCHIE. I don't know what they were quarreling over; they were talking about this money, and he made his escape. He went out the back door—the back fire escape. Some way he got out, but they would go in one room and another; and so they found Mr. Walker in one room, and they took him out in the hall. She pleaded with them and they all pleaded with them not to take him. He said, "Be quiet, darling; I will be back again." They just took him downstairs and shot him on the steps before us; and by that time everybody was running still all over the hotel, and we went in rooms Nos. 4 and 5. Dr. Hart had one room and Mr. Miller had the other.

Senator FALL. Pardon me, who was Dr. Hart, Mrs. Ritchie?

Mrs. RITCHIE. Dr. Hart was a guest, the one that lost his life.

Senator FALL. He had been there and stopped with you before?

Mrs. RITCHIE. Yes.

Senator FALL. He was United States sanitary inspector?

Mrs. RITCHIE. Yes, sir; he had stopped a number of times with us.

Senator FALL. Who was Mr. Miller?

Mrs. RITCHIE. Mr. Miller was from Las Cruces; he came over in his car.

Senator FALL. Mr. Miller had been the State engineer?

Mrs. RITCHIE. I believe he had. Of course, he had been at the hotel before, but I did not know who Mr. Miller was; but when he came in that night at 5 o'clock he registered, and my daughter was playing the piano; and he says, "That sounds like home. I have been away from home quite a while." He went in the parlor, and my daughter sang, and he sang two or three pieces, and he said the next morning he would have to go, and that night they took him out and shot him on the pavement, right out where his car was.

Senator FALL. Did they take him out in front on the upper porch or downstairs?

Mrs. RITCHIE. Right downstairs.

Senator FALL. Then, after killing Mr. Miller, then they took Dr. Hart down?

Mrs. RITCHIE. Yes, sir; they took Dr. Hart down at the same time. There was a crowd of them around my husband telling him that there was a captain downstairs that wanted to see him. He said, "I can not go down and leave the women and children to protect themselves," and they put their hands on him and forced him down there; they told him he would have to go, and he found out he had to go, and they took him down, and my daughter put her hand out and says, "Don't go, daddy; don't go." He says, "I will be back in a minute."

Senator FALL. Which daughter was that?

Mrs. RITCHIE. Myrtle. Just as soon as they took him down one of them grabbed my daughter by the hand and took all of her rings off of her and asked her for a peso, and she asked me if I had a dollar and I said no, and at that time they had taken the rings off of me and one of them kicked me in the side, and I said, "No; they have taken all; I have got nothing; they have taken all I have"; then just threw her hand down and pushed her up against the wall and then he told me to go and find Sam Ravel's room, and I took him to Sam Ravel's room; so I took him in there.

Senator FALL. He spoke the name of Sam Ravel?

Mrs. RITCHIE. Yes, sir; when I came on back he had taken Arthur Ravel, the brother of Sam, down with my husband.

Senator FALL. When was the last time you saw Dr. Hart?

Mrs. RITCHIE. On March 8.

Senator FALL. When they were taking him down?

Mrs. RITCHIE. Yes, sir; he went down, the last time I saw him; he was going down with his hands raised up over his head; in his shirt sleeves.

Senator FALL. That was the last time you saw him alive?

Mrs. RITCHIE. Yes.

Senator FALL. When did you last see your husband alive?

Mrs. RITCHIE. At the same time; it all happened right together; we hardly knew what was happening, and this Mrs. Walker was

screaming and hollering and my children were carrying on and then we went to the front and we saw them putting oil on the Lemon & Payne store, and then we could see, I guess, thousands of Mexicans out there by the light of the fire, and our hotel caught fire, and I do not think they set fire to it, but it caught fire; we stayed there; we could not get out; could not get down to the front because they were all there; the hotel was afire, and they had taken all we had and ransacked all the dresser drawers, shot through all the dressers and mirrors, I suppose to see if anybody was behind the dressers, tore all the beds apart, ransacked everything; the hotel was afire; at that time my daughter, Edna, appeared at the back door; she darted back again and she said, "Oh, mamma, there is Juan Favela at the bottom of the stairs"; she recognized Juan Favela's voice, and he says, "Edna, come to me, I will take care of you"; so we all went down and he took us over to a building that had been raided, at the back of the hotel.

Senator FALL. Juan Favela lived at Columbus?

Mrs. RITCHIE. Yes, sir; right back of the hotel.

Senator FALL. This was his son?

Mrs. RITCHIE. No, sir; this was Juan Favela, himself.

Senator FALL. Now, what nationality is Juan Favela?

Mrs. RITCHIE. He is a Mexican; his mother is an American, I believe.

Senator FALL. Is he a Yaqui Indian, or what you know ordinarily a Mexican?

Mrs. RITCHIE. I don't know; I know he is a very nice man. We have known him a long time. I know we would have all been murdered if it had not been for Juan Favela or perhaps been burned up in the hotel. He broke down the fence and took us over. The way we escaped was by the light of the fire from Lemon & Payne building; they were ransacking all of the other buildings, that is, when they took the guard from the back of the house, and that is how we escaped.

Senator FALL. How many guests were in the hotel that night?

Mrs. RITCHIE. There was four that escaped with their lives and five murdered.

Senator FALL. That five included your husband?

Mrs. RITCHIE. Yes, sir.

Senator FALL. Did you remain in the house where Juan Favela took you all night, or until the next morning?

Mrs. RITCHIE. We remained there until the soldiers came and took us over to camp in the morning.

Senator FALL. Was it daylight or dark?

Mrs. RITCHIE. I presume about 6 o'clock, 7 perhaps.

Senator FALL. And this attack, the original attack, occurred about 3?

Mrs. RITCHIE. About 3 or 4; I had not gone to sleep again after I had gotten up to wake the guest.

Senator FALL. The soldiers were immediately on the south of the railroad?

Mrs. RITCHIE. Yes, sir.

Senator FALL. And the town was just immediately north of the railroad?

Mrs. RITCHIE. Yes, sir; it was just north of the railroad.

Senator FALL. How far was your hotel from the railroad?

Mrs. RITCHIE. Oh, it was not half a block.

Senator FALL. How long after the attack commenced and the Mexicans entered your hotel, scattered through your house, was it before you went out under the care of Juan Favela; about how long, more or less?

Mrs. RITCHIE. Well, from the time they came upstairs I would judge it would be perhaps—it seemed like a week to me—I don't know just exactly how long, but I presume it may be half an hour; maybe not that long.

Senator FALL. When did you first see any soldiers—American soldiers?

Mrs. RITCHIE. After they fired the building. I wondered why—the soldiers had always been good to us—I wondered why they had not come to us; I wondered why somebody did not come to our assistance after our building had caught on fire. I could see the soldiers in town skirmishing, and under the water tank by the depot, and, of course, I realized then that there were not many there and they were doing their duty.

Senator FALL. Did you see any officers—commissioned officers of the United States Army—when you went out of the building?

Mrs. RITCHIE. They took us over to the camp and I saw some sergeants; I did not see any captain; I walked right in the blood of the soldiers—five of them lying on the ground there. I did not see any officers.

Senator FALL. Do you know Col. Slocum?

Mrs. RITCHIE. Yes, sir.

Senator FALL. Did you see him at all on that morning, or later in the day?

Mrs. RITCHIE. I saw him about 10 o'clock, I think; his wife came over to camp and took myself and family over to her house and I stayed there until I got some clothes on.

Senator FALL. When Juan Favela took you out of the house you walked through the blood of the private soldiers?

Mrs. RITCHIE. Oh, yes, sir; over to camp.

Senator FALL. You saw a noncommissioned officer there and the soldiers lying down firing?

Mrs. RITCHIE. Yes, sir.

Senator FALL. Did you recognize any commissioned officers?

Mrs. RITCHIE. No, sir.

Senator FALL. Were there any soldiers in your hotel or around your hotel, or stopping there that night?

Mrs. RITCHIE. There was one Mr. Ritchie had taken in; he registered; any more than that I do not know. I know he was burned up in the fire, and after I buried my husband here in El Paso and the undertaker was talking to me about it, he asked me to compose myself the best I could; he knew it was trying, but he would like to know about this soldier; he said they buried him and just found the bones and the buttons off of his body and, of course, I could not tell anything about him because my husband was gone.

Senator FALL. When you went across in charge of Juan Favela out of your house, did your children go with you?

Mrs. RITCHIE. Yes; my three children. He took us over to this house where he had his wife, and Edna, the little one next to the baby; she knew where her daddy was lying. I did not know, but she knew and she says, "Mamma, my daddy is lying out there on the ground and our building is burning and he will burn up, and I want to go to him and get him," and Juan said, "Edna, you will commit your own suicide out of this house," and she just fought him, and he held on to her and she got away and got to the corner of the building, where she saw her daddy lying and they shot at her and the bullet struck her coat; she just had a coat on over her nightdress; they tore her coat full of holes, but it did not strike her.

Senator FALL. You say the Mexicans robbed you of your jewelry and rings before they robbed your daughter?

Mrs. RITCHIE. Just about the same time. They had gone and was knocking the telephone off the wall with a gun, and I went over trying to—I don't know for what purpose, I just kind of walked over that way and he raised his gun over my head; I raised my hands up like that and when he came down he hit me on the hand and knocked the knuckles out of joint and I carried that six weeks in a sling, and then is when he took my rings off.

Senator FALL. Mrs. Ritchie, did you and your husband own that property, the Commercial Hotel?

Mrs. RITCHIE. No, sir; my husband built the hotel for Sam Ravel, then we rented it and the furniture and everything was mine.

Senator FALL. Did you have any other property than the furnishings of the hotel?

Mrs. RITCHIE. Yes, sir; the building back of the hotel, just a little small building.

Senator FALL. That was your property?

Mrs. RITCHIE. Yes, sir.

Senator FALL. Were you dependent upon your husband for support?

Mrs. RITCHIE. Yes, sir; we ran the hotel.

Senator FALL. You and he ran the hotel?

Mrs. RITCHIE. Yes, sir.

Senator FALL. Were you dependent upon your joint labors for the support of yourself and family?

Mrs. RITCHIE. Yes, sir; at present I am employed by the Government.

Senator FALL. You are working now for a living?

Mrs. RITCHIE. Yes, sir.

Senator FALL. What has become of your children?

Mrs. RITCHIE. Two of them married; one of them married Lieut. Le Croix and one married Charlie Garner, Senator Garner's brother, and I have now one child.

Senator FALL. With you?

Mrs. RITCHIE. With me.

Senator FALL. Have you ever received any remuneration or recompense from any source whatsoever for your losses at Columbus?

Mrs. RITCHIE. No, sir; not even any insurance.

Senator FALL. Did you have the building or furniture insured?

Mrs. RITCHIE. Yes, sir.

Senator FALL. And you have received no insurance for its destruction?

Mrs. RITCHIE. Not a penny.

Senator FALL. What was the reason, do you know?

Mrs. RITCHIE. They called it an invasion.

Senator FALL. An invasion?

Mrs. RITCHIE. Yes.

Senator FALL. An act of war?

Mrs. RITCHIE. And they say there was a clause in the policy; they just simply turned me down.

Senator FALL. On account of the clause in the policy to the effect that if the property was destroyed by an enemy?

Mrs. RITCHIE. Yes, sir; an invasion into the United States.

Senator FALL. That they would not be responsible?

Mrs. RITCHIE. Yes, sir.

Senator FALL. So the company refused to pay?

Mrs. RITCHIE. Yes, sir; I have been trying to get it in various ways; I tried to get just a little insurance for what I had lost, but I have not been able. We got out in our night clothes, without anything but our nightdress. I was glad and thanked God my children were not molested in any other way, because they were saying all the time they were coming back and kill us and were going to take the women prisoners.

Senator FALL. What was the name of the company in which your property was insured?

Mrs. RITCHIE. I haven't the papers with me, but I have all the papers and all the letters that I have received from them.

Senator FALL. Kindly furnish the committee with the name of that company and the amount of insurance.

Mrs. RITCHIE. How, please?

Senator FALL. Just write to me.

### TESTIMONY OF L. L. BURKHEAD.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. Are you a citizen of the United States?

Mr. BURKHEAD. I am, sir.

Senator FALL. Of what State are you a native?

Mr. BURKHEAD. North Carolina.

Senator FALL. Where do you live?

Mr. BURKHEAD. Columbus, N. Mex.

Senator FALL. Where were you living on or about March 9, 1916?

Mr. BURKHEAD. Columbus, N. Mex.

Senator FALL. What was your business?

Mr. BURKHEAD. Postmaster.

Senator FALL. Postmaster at Columbus, N. Mex., in the State of New Mexico?

Mr. BURKHEAD. Yes, sir.

Senator FALL. Do you remember the occasion of the raid by the Villistas, or some Mexicans, on the night of March 8 and morning of March 9, 1916?

Mr. BURKHEAD. Very distinctly.

Senator FALL. You were there during that raid? Where were you at the time?

Mr. BURKHEAD. I was at home with my family.

Senator FALL. About what time did the raid occur?

Mr. BURKHEAD. It must have been between 4.20 and 5 o'clock—nearly 4.30, I expect.

Senator FALL. Did you have a school building in Columbus?

Mr. BURKHEAD. Yes, sir; we had a very fine school building for a small town.

Senator FALL. Who were the children who attended that school?

Mr. BURKHEAD. Why, all of the Americans and a great many Mexicans.

Senator FALL. About how many children—Mexican children—attended school?

Mr. BURKHEAD. I think about 30 or 35.

Senator FALL. Do you know whether they were in attendance—was school open on the 8th day of March?

Mr. BURKHEAD. Yes, sir.

Senator FALL. Do you know whether the Mexican children were in attendance at school that day?

Mr. BURKHEAD. Why, I have understood from one of the teachers in charge of the Mexican work that there were 28 of the 30 or 35 Mexicans were absent without excuse on the 8th of March.

Senator FALL. Did you know Col. Slocum?

Mr. BURKHEAD. Yes, sir.

Senator FALL. He was in command of the United States troops at that time?

Mr. BURKHEAD. Yes, sir.

Senator FALL. Colonel of the Thirteenth Cavalry?

Mr. BURKHEAD. Colonel of the Thirteenth Cavalry.

Senator FALL. Do you know what disposition, if any out of the ordinary, Col. Slocum made of any of the troops under his command on the 8th, or prior to the raid on the morning of the 9th of March?

Mr. BURKHEAD. Some time during the day of the 8th "G" Troop was sent to the gate, that is the crossing into Mexico over the old grade.

Senator FALL. About two miles and a half or three miles south of Columbus?

Mr. BURKHEAD. Yes, sir.

Senator FALL. On the old railroad grade?

Mr. BURKHEAD. On the old railroad grade, and two troops were sent to Gibson's line ranch, about 14 miles southwest from Columbus.

Senator FALL. And on the international border?

Mr. BURKHEAD. On the international border.

Senator FALL. Were there any pickets thrown out, that you know of?

Mr. BURKHEAD. None that I know of.

Senator FALL. Any troops placed in the town of Columbus?

Mr. BURKHEAD. No, sir.

Senator FALL. No sentinels or pickets were in the town of Columbus?

Mr. BURKHEAD. No, sir; not on the north side of the road.

Senator FALL. The only pickets who were out were around the encampment on the south side?

Mr. BURKHEAD. I understand that the only pickets that were out were at the guard tent.

Senator FALL. And hospital?

Mr. BURKHEAD. I don't know about that.

Senator FALL. Any way, the pickets who were out were not in town or around town, which was on the north side of the railroad, but were on the south side entirely around the military encampment?

Mr. BURKHEAD. Yes, sir.

Senator FALL. There were no extra pickets or sentinels that you know of?

Mr. BURKHEAD. None that I ever heard of.

Senator FALL. Do you know where Col. Slocum was during this raid?

Mr. BURKHEAD. I know where he lived.

Senator FALL. Where did he live?

Mr. BURKHEAD. He lived four blocks north of the railroad on Boundary Street.

Senator FALL. That would be in the northwestern part of the town?

Mr. BURKHEAD. No; that is the northeastern part.

Senator FALL. The northeastern part of the street?

Mr. BURKHEAD. Boundary Street is the section line.

Senator FALL. What did you do during this raid; where did you remain during the raid?

Mr. BURKHEAD. Why, as soon as we found out from the hollering and breaking of windows over in the corner drug store, which is just a block from me, I took my wife and boy and another lady, who was staying with us at that time, and we went out over the back fence and got down in a ditch by the railroad embankment and followed that until we got up to a freight train which had entered town and saw something had happened or something going on, and the engineer put out his headlight and backed out.

Senator FALL. Now, this ditch you speak of was the ditch on the west side of the old railroad right of way or embankment running north and south with the present railroad?

Mr. BURKHEAD. No; I speak of the railroad and not of the old grade.

Senator FALL. What was the conductor of that freight train doing at that time, if you know?

Mr. BURKHEAD. Why, when we arrived at the train, of course, we had to creep out; we did not know what had occurred at the time, and we found that the conductor and engineer were waiting to find out what had happened. The first news of what they knew exactly what happened was when we told them, but when we arrived Conductor Lundy. I think his name is, had coupled up his train telephone and was telephoning in then to Fort Bliss, trying to get connection with Fort Bliss, and telling them what the trouble was.

Senator FALL. Do you know whether he succeeded in getting connection?

Mr. BURKHEAD. Yes, sir; he had succeeded in getting connection when we got there, and we were able to tell him what was going on—what happened.

Senator FALL. Where did you remain then, during the balance of the time?



Mr. BURKHEAD. We remained in the caboose of the train until morning, and then cut off the engine and ran into town to see if everything was all right to come in, and they came back and pulled us into town.

Senator FALL. About what time was that?

Mr. BURKHEAD. About 7 o'clock; probably a little after.

Senator FALL. Where were the soldiers at that time, do you know?

Mr. BURKHEAD. At that time, before we came in, we could see in the dim light—the sun had gotten up—we could see the dust of the soldiers chasing the bandits down into Mexico.

Senator FALL. South and into Mexico?

Mr. BURKHEAD. Yes, sir.

Senator FALL. Had any people arrived from Deming at that time, do you know?

Mr. BURKHEAD. I can not say.

Senator FALL. Did you see any Deming people later?

Mr. BURKHEAD. Why, quite a few later on in the day.

Senator FALL. Did you see any of the officers of the post when you got into town?

Mr. BURKHEAD. Why, Capt. Bowie, whom, I think, was officer of the day, came out on the engine when the engine came back to get the train; came back with them to send a telephone message into Fort Bliss over the train telephone.

Senator FALL. When you got into town did you see any of the other officers?

Mr. BURKHEAD. Yes; saw quite a few.

Senator FALL. Did you know Col. Slocum personally?

Mr. BURKHEAD. Yes, sir.

Senator FALL. When did you first see him that day?

Mr. BURKHEAD. After we pulled in with the train and went down to see if anything was molested in our house, and found everything was O. K., then walked across to the post office to see what had happened there, in going over across from the post office—it must have been 10 or 15 minutes past 7—I passed Col. Slocum and his wife going down toward camp; that was the first I saw of Col. Slocum that morning.

Senator FALL. Did you know where Col. Slocum had been up to that time?

Mr. BURKHEAD. No, sir; I do not, I can not swear where he had been.

Senator FALL. Did you know Mr. White?

Mr. BURKHEAD. J. F. White?

Senator FALL. Where is Mr. White?

Mr. BURKHEAD. Mr. White is in Columbus.

Senator FALL. Still in Columbus?

Mr. BURKHEAD. Still in Columbus.

Senator FALL. Did you have any conversation with him that day, or immediately thereafter?

Mr. BURKHEAD. I don't know that I can say as to that day, but after that I had a conversation with him frequently.

Senator FALL. Did Mr. White give you any information as to the whereabouts of Col. Slocum that night?

Mr. BURKHEAD. Yes, sir.

Senator FALL. He did?

Mr. BURKHEAD. Yes, sir.

Senator FALL. From that information which you obtained from Mr. White was Col. Slocum in the camp or with the soldiers during the fight and attack on Columbus?

Mr. BURKHEAD. Not until late in the fight, if he was at all.

Senator FALL. As a matter of fact the attack of the Villistas commenced on the Army camp on the south of the road, did it not?

Mr. BURKHEAD. Yes, sir.

Senator FALL. And then extended into town?

Mr. BURKHEAD. Extended into the town.

Senator FALL. And from where Col. Slocum was living he was cut off, if he desired to join his command?

Mr. BURKHEAD. No, sir.

Senator FALL. He was not, he could have joined his command?

Mr. BURKHEAD. Yes, sir; at certain parts of the raid. Later when the raid was at its height of course he could not.

Senator FALL. Because Villa would have been between him and his soldiers?

Mr. BURKHEAD. And his soldiers.

Senator FALL. When the raid on the town was at its height?

Mr. BURKHEAD. Yes, sir.

#### TESTIMONY OF DR. T. H. DABNEY.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. Are you a citizen of the United States?

Dr. DABNEY. Yes sir.

Senator FALL. Of what State are you a native?

Dr. DABNEY. Iowa.

Senator FALL. Where do you live?

Dr. DABNEY. Well, I guess I live in California, now.

Senator FALL. Where were you living on March 9, 1916?

Dr. DABNEY. Columbus, N. Mex.

Senator FALL. What was your business at that time?

Dr. DABNEY. I was practicing medicine, sir.

Senator FALL. Do you remember the raid on Columbus?

Dr. DABNEY. Yes, sir; very distinctly.

Senator FALL. Where were you during the raid?

Dr. DABNEY. I was at my house, about a half block north of the main street that runs east and west through the town, rather in the northeastern part of the business section.

Senator FALL. Where did you remain during the raid and attack on the town?

Dr. DABNEY. Right in my house.

Senator FALL. Were you alarmed about the first of the raid on the town?

Dr. DABNEY. Yes, sir; I was sure alarmed; I had my wife and daughter there and no way to get them out.

Senator FALL. How long did the firing there in town and around town continue?

Dr. DABNEY. Well, I presume I would judge an hour and a half, it continued about half an hour at my house.

Senator FALL. In the town about an hour and a half?

Dr. DABNEY. I expect about an hour and a half.

Senator FALL. About what time did it open; commence?

Dr. DABNEY. Well, about 4.20 to 4.30.

Senator FALL. In the morning?

Dr. DABNEY. Yes, sir.

Senator FALL. And continued for?

Dr. DABNEY. We calculated that by the clock in the depot; it had a hole shot through it; it stopped at 4.20; that was the report; I saw the clock after it was shot.

Senator FALL. When did you leave your house?

Dr. DABNEY. I left my house about 15 minutes to 6; there were three soldiers wounded near my house, and Lieut. Castleman came to the door and asked me if I could care for them; the firing was over around the depot, and they were still fighting between my house and the hospital.

Senator FALL. Between the military hospital and your house?

Dr. DABNEY. Yes, sir.

Senator FALL. They were still firing at 6?

Dr. DABNEY. Yes, sir.

Senator FALL. Lieut. Castleman asked you if you could take care of them?

Dr. DABNEY. He just asked me if I could take care of them, and I told him to bring them in.

Senator FALL. He brought in two?

Dr. DABNEY. Yes, sir.

Senator FALL. You gave them treatment?

Dr. DABNEY. Yes, sir. One of them, Pvt. Jesse Taylor, died the next day at Fort Bliss. He was shot pretty bad, through the body and arm.

Senator FALL. The other?

Dr. DABNEY. The other—I never learned the other fellow's name; he was just grazed on top of the shoulder, so I undressed him and told him he was not hurt; he made the remark then to let him go, and he put his clothes on and went back to camp to his command.

Senator FALL. From that wound you saw in the body, the man who afterwards died, was it a clean wound, inflicted by a metal-jacket bullet?

Dr. DABNEY. I think so, but probably exploded when it struck; but here it was a very small wound, and came out here, and the arm was almost torn off.

Senator FALL. Did you ever have your attention called to any of the cartridges taken from the belts of the dead Mexicans there?

Dr. DABNEY. No, sir; I saw some of them.

Senator FALL. Did you notice anything peculiar about any of those bullets; whether they were filed through the metal jacket to make them dum-dum bullets or not?

Dr. DABNEY. I never noticed.

Senator FALL. I know they were. I have got them.

Dr. DABNEY. I have got some soft-nose bullets, filed across the end here, for a .45.

Senator FALL. Doctor, how long did you continue to live in and around Columbus after this raid?

Dr. DABNEY. Up until about the—well, I made one trip to California and stayed two or three weeks; then I came back and was there up until about the 4th of April, last year.

Senator FALL. Have you a daughter?

Dr. DABNEY. Step-daughter, Senator.

Senator FALL. What is her name?

Dr. DABNEY. Frances Stewart; her name is Connett now.

Senator FALL. She has married since that time?

Dr. DABNEY. Yes, sir.

Senator FALL. Did your daughter have a homestead entry near Columbus, N. Mex.?

Dr. DABNEY. Yes, sir.

Senator FALL. Was she able to prove up on that entry and get her title for it?

Dr. DABNEY. Yes; in fact, she never lived on it; she built her house and did all her work, but never moved in the house on account of the border situation.

Senator FALL. How was she allowed, then, to prove up and obtain her title, if she never lived on the entry?

Dr. DABNEY. By a special act of Congress granting her title.

Senator FALL. Upon what grounds was that title granted?

Dr. DABNEY. Upon the ground that she was unable to live on it; it was not safe for her to live on the——

Senator FALL. On the entry?

Dr. DABNEY. On the homestead, which is about three miles and a half due east of Columbus.

Senator FALL. In the United States?

Dr. DABNEY. Yes, sir; and about 2 miles from the border.

Senator FALL. And that title was granted her by a special act of Congress upon the approval of the Secretary of the Interior?

Dr. DABNEY. Recommended by the Secretary of the Interior, Secretary Lane.

Senator FALL. Upon the ground that she should not be required to comply with the resident requirement of the homestead act?

Dr. DABNEY. Yes, sir.

Senator FALL. As that vicinity was not safe?

Dr. DABNEY. I think there was one other, a Miss Harris, got her patent on the same grounds.

Senator FALL. When, about, was it that your daughter obtained her patent?

Dr. DABNEY. Well, she obtained her patent since August; she got her certificate, I think, about last March.

Senator FALL. Of last year?

Dr. DABNEY. Of last year.

Senator FALL. So that in last March of last year the Department of Interior did not consider that she should be required to live upon that homestead to secure a patent because of the danger existing there?

Dr. DABNEY. Yes, sir.

Senator FALL. At that time?

Dr. DABNEY. At that time.

Senator FALL. Do you know Elmer Harris?

Dr. DABNEY. I know her; yes, sir.

Senator FALL. You say she obtained a patent under similar circumstances?

Dr. DABNEY. I saw in the paper where she had obtained her patent.

Senator FALL. Do you know Katheryn Walker?

Dr. DABNEY. Yes, sir.

Senator FALL. Do you know what the condition of her homestead entry is?

Dr. DABNEY. Not that I could tell exactly; I think that her's was about the same as my daughter's, but I understood from Mr. Walker that she had relinquished and he had filed on it; I understand since then there has been a favorable report.

Senator FALL. From the committee?

Dr. DABNEY. From the Committee on Public Lands to give her a patent.

Senator FALL. To the Secretary of Interior that she should have a patent for the same reason?

Dr. DABNEY. Yes, sir.

### TESTIMONY OF MR. EDWIN G. DEAN.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee duly authorized thereto.)

Senator FALL. Are you a citizen of the United States?

Mr. DEAN. Yes, sir.

Senator FALL. What State are you a native of?

Mr. DEAN. Iowa.

Senator FALL. Where do you reside?

Mr. DEAN. Columbus, N. Mex.

Senator FALL. Where were you residing on or about March 9, 1916?

Mr. DEAN. In Columbus, N. Mex.

Senator FALL. Have you a family?

Mr. DEAN. Yes, sir.

Senator FALL. Had you a family at that time?

Mr. DEAN. No, sir.

Senator FALL. With whom were you living at the time of the Columbus raid?

Mr. DEAN. I was living with my mother and father.

Senator FALL. Where?

Mr. DEAN. In the northern part of the town, just south of the schoolhouse.

Senator FALL. In the northern part of the town of Columbus?

Mr. DEAN. Yes, sir.

Senator FALL. State of New Mexico?

Mr. DEAN. Yes, sir.

Senator FALL. What happened, if anything, that night?

Mr. DEAN. A whole lot happened; the first I knew they were shooting all around, and I got up and dressed and went out, and there seemed to be a big fire down town and shooting. I did not know what it was, but I went back in the house, and a neighbor came over there—Mr. Elliott—and he said Villa was attacking Columbus; so I got the gun and took it in my father's room and set it up by his bed, and told him there was a gun, it was all loaded, and I was

going out to see what was doing, and I was intending to go to town. I started over to a neighbor's house; I again saw the fire, so I went down the street a little way. About that time Mr. Murphy came across a big ditch—

Senator FALL. Mr. Murphy was the telegraph operator?

Mr. DEAN. Yes, sir. They made such a racket over there; I heard some one say there was a fence there, that he could not get over. I was kind of afraid to go back up to that house—afraid they would shoot me—so I decided I had better go down town, down to the store, so I made for down there; so I got up to the alley back of the store. There were some Mexicans came around the store next to us, so I went down the alley and ran into all of the soldiers there at the end of the block; Lieut. Castleman and a detachment of our soldiers were crossing the street there.

Senator FALL. In the town proper?

Mr. DEAN. Yes, sir.

Senator FALL. Did you see any other officers there—commissioned officers?

Mr. DEAN. Yes, sir; I saw the colonel a little later on, Col. Slocum, and the lieutenant came in—there was an adobe house setting out right next to the corner; some of the men were in behind that, but he was out in the street when I first came down there; he came in and wanted to know how I came to get down there; I told him I just happened there some way; and he said one boy was wounded out there and he had his gun, but he said they were pretty nearly out of ammunition, he did not think they had any to spare; then he called me and asked me to carry in one of the soldiers that was wounded, and we carried him in behind the adobe house; and then in a little bit, why a soldier came up there and wanted to borrow a knife, he was trying to get his belt open, cut his belt, the rusty clip; he could not find a knife; I do not think he ever did get his belt off of him. He just had a few rounds of ammunition. Just then there was a bugle call, and the lieutenant says, "Look out, they are coming in from the east," and some Mexicans crossed the railroad tracks right south of there, came across on the north side and went west; I judge about 50 of them; they had been down to get the horses.

Senator FALL. What horses?

Mr. DEAN. Government horses.

Senator FALL. Cavalry horses?

Mr. DEAN. Yes, sir; and one of the soldiers shouted at him. He says, "Don't shoot down that way, our men are down there," and then I saw a light in the doctor's house, just right across the alley, and I called the lieutenant's attention to it and told him they might be able to take these wounded soldiers in there.

Senator FALL. That was Dr. Dabney's house?

Mr. DEAN. Yes, sir. He called the doctor, then another soldier and myself carried the men in there. I was not out again until just before daylight; it was just getting day and I was outside just a few minutes and the colonel came walking down the street from the north.

Senator FALL. Col. Slocum?

Mr. DEAN. Col. Slocum, yes, sir; he spoke to the lieutenant, and the lieutenant said, "Everything is all right, Colonel, you had better go back, you can not do anything here. He stood around and talked a little bit, and then went on back north.

Senator FALL. He came from the north?

Mr. DEAN. Yes, sir.

Senator FALL. Did your family escape without trouble?

Mr. DEAN. My father was killed.

Senator FALL. Where was he killed?

Mr. DEAN. He was killed right down in the main street, right in the middle of the street.

Senator FALL. How was he killed?

Mr. DEAN. There was a—I did not get a chance to see him; that is, after his death; only when I picked him up, and there was a big hole right here in or about his stomach.

Senator FALL. A bullet wound?

Mr. DEAN. Something pretty nearly the size of my hand; he had evidently been shot in the back. I tried to get in to see him afterwards, but they would not let me.

### TESTIMONY OF MR. ARCHIBALD B. FROST.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. Give your full name, please, to the reporter.

Mr. FROST. Archibald B. Frost.

Senator FALL. Are you a citizen of the United States?

Mr. FROST. Yes, sir.

Senator FALL. Where were you born?

Mr. FROST. Richmond, Tex.

Senator FALL. Where do you reside?

Mr. FROST. At Columbus, N. Mex.

Senator FALL. What are you doing; what is your business?

Mr. FROST. I am in the hardware and furniture business.

Senator FALL. Where were you on or about March 9, 1916?

Mr. FROST. I was at home with my wife and baby.

Senator FALL. Where?

Mr. FROST. At Columbus, N. Mex.

Senator FALL. In what business were you engaged at that time.

Mr. FROST. The same business.

Senator FALL. What occurred there on March 8 and the morning of March 9?

Mr. FROST. We were awakened by a lot of shots that sounded very much like machine-gun shots. I got up and dressed and my wife dressed and I went to the door of my house, just a small house back of my store, and there was a lot of bullets flying around in the air, and I heard a bugle blowing some piece, and I realized by the bullets flying around it was an attack of some kind, and I thought possibly if we had time to get in the store and get in the cellar—get my family in there away from the bullets—I thought there would be a lot of soldiers around there and there would really be no danger, outside of a little skirmish, and we went out in the dark, going north, and got to the store, and finally reached the store and opened the front door; I put my wife and my baby inside and then I turned around

to sort of see what was going on and walked back on the porch and I saw quite a glare over in the southeast; quite a long line of firing, looked like a hundred yards or so, and you could hear all these shots, an awful lot of shots; just about that time I was shot myself.

Senator FALL. Where were you shot?

Mr. FROST. Shot on the front porch of my business.

Senator FALL. Whereabouts in the body were you shot?

Mr. FROST. I was shot in the shoulder, the shot knocked me down, I heard my wife scream, but I had presence of mind enough to crawl into the store and I just crawled right on in and got up again, straightened up after getting into the store, then they commenced shooting all of the glass out from the store, all the panes, were flying back of us, I realized then the danger was too imminent to think about going in the cellar, and the thought of fire occurred to me, it being a frame building and we would probably be burned up, we would be roasted in the cellar, I thought of the automobile we had bought two or three months before which was in the garage back of the store and I whispered to my wife that I thought we had better get into the car there, and get started and beat it; she did not know I was even wounded at that time, so we walked out the back door and I managed somehow to unlock the garage in the night, she held the door for me, we started the machine and backed out of the garage and we were again discovered by the bandits at that time and they shot me again in the car just as we backed out, I was shot through the arm that time.

Senator FALL. That is through the other arm?

Mr. FROST. Yes, sir; one shot was through here.

Senator FALL. One shot was through the right shoulder?

Mr. FROST. Yes, sir.

Senator FALL. The other through the left arm?

Mr. FROST. Yes, sir; above the elbow.

Senator FALL. Were there any bullet holes in the car?

Mr. FROST. Yes, sir; there were three in the seat right back of where I was sitting, the driver's side, and one on the right side extending through the car and through the wind shield, but I did not know of course that those bullet holes were in the car until they told me about it after I reached Deming.

Senator FALL. You made your escape?

Mr. FROST. Yes, sir.

Senator FALL. Where did you go?

Mr. FROST. Went to Deming.

Senator FALL. Did you meet anybody on the way into Deming?

Mr. FROST. Well, no, sir; we did not meet anybody until we got there, only met one or two teams coming out, it was quite early in the morning and did not meet anybody.

Senator FALL. Do you know whether any citizens went from Deming down to Columbus that morning?

Mr. FROST. Well, yes, sir; after I got in there and told them what was going on there was several automobiles filled with men and guns and doctors and they went down; I learned that afterwards.

Senator FALL. Did you ever see anything of a captured machine gun there?



Mr. FROST. No, sir; I did not, I was in the hospital for my wounds for about a week and when I returned to Columbus, why they had pretty nearly all of the signs of the—except the burnt buildings were gone. The dead Mexicans had been removed and burned.

Senator FALL. You were the only member of your family injured that night?

Mr. FROST. Yes, sir; I was the only one that was shot.

### TESTIMONY OF MR. JESUS PAIZ.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. You speak English?

Mr. PAIZ. A little.

Senator FALL. You understand it well, do you?

Mr. PAIZ. Yes, sir; I do.

Senator FALL. Jesus, where were you born?

Mr. PAIZ. I was born down in Mexico, in Durango—I was raised there, but born in Tampico, about 25 miles from the seashore.

Senator FALL. You were raised in the State of Durango?

Mr. PAIZ. Yes, sir.

Senator FALL. When did you first come to the United States?

Mr. PAIZ. The 9th of March, 1916.

Senator FALL. How did you happen to come here at that time?

Mr. PAIZ. Came with a bunch of bandits—with Villa.

Senator FALL. How old are you now?

Mr. PAIZ. I will be 17 the 22d of June.

Senator FALL. Then you were about 14 years old when you came on the 9th of March?

Mr. PAIZ. I was about 12 years and 6 months old.

Senator FALL. Where did you join the bunch of Villa bandits?

Mr. PAIZ. I was not the only one; my family—my father was there and we joined in Chihuahua.

Senator FALL. What place in Chihuahua?

Mr. PAIZ. In Quintas Carolinas, about 3 miles from Terrazas's home ranch.

Senator FALL. How did you happen to join—you and your father happen to join the Villa bandits?

Mr. PAIZ. Well, my father was what you might call the boss on that ranch, you know, on that home ranch there, and Mr. Terrazas was not there any more and left him in charge of that ranch and so he stayed there for about a year and then the Carrancista soldiers carried us to Chihuahua and they went up there and started to steal the cows and corn, all of that for horses and would not tell us anything about it; did not say anything, but just took it. So one time a bunch of Carranza soldiers went up there; they wanted to get some money of my father; my father refused. He says he did not have any money so he gave them time to come in two days and in those two days my father went away, see! He escaped. He left me and my mother in the house; my three brothers had been killed; they ran away on account of money, too; they wanted money and they killed them.

Senator FALL. Who killed them?

Mr. PAIZ. Carranza men. So my father made his escape in the hills and the next morning they came again, and they looked all around for my father; they turned everything over—beds and everything there—and they could not find him, and they took me down to Chihuahua and threatened to kill me because I did not know where my father was; because I would not say where my father was. I asked them to give me a little time, you know, I was afraid; I told them I did not know where he was, I did not know a thing about it. Well, they trusted me a little too much, you know, and I escaped. So I escaped and went back to Quintas Carolinas and told my mother all about it; I had been sentenced to be shot because I would not tell where my father was; she told me she did not want me to be killed like my brothers were, so I saddled up a horse and went away that night.

Senator FALL. By yourself?

Mr. PAIZ. By myself; and got a bottle of coffee and some tortillas, so about three days I found my father in San Geronimo.

Senator FALL. And found your father?

Mr. PAIZ. Yes, sir.

Senator FALL. At San Geronimo?

Mr. PAIZ. Yes; so from there we started a new life with the Villa bunch.

Senator FALL. Why did you join Villa?

Mr. PAIZ. Because it was the only way we could be safe.

Senator FALL. From the Carrancistas?

Mr. PAIZ. Yes, sir; from the Carranza soldiers.

Senator FALL. Your only chance for safety, as your father and yourself thought, was to join Villa?

Mr. PAIZ. Yes, sir; and my father was well known around there, you know, and he was very likely to be discovered by somebody and they would shoot him.

Senator FALL. What position, if any, of an official character did your father hold under Villa's command?

Mr. PAIZ. He was a captain.

Senator FALL. And paymaster?

Mr. PAIZ. Yes, sir; sometimes.

Senator FALL. Where did you go from San Geronimo, Jesus?

Mr. PAIZ. We went all over those mountains, you know, and all those towns around there.

Senator FALL. Did you carry a rifle?

Mr. PAIZ. Yes, sir.

Senator FALL. Six-shooter?

Mr. PAIZ. Yes, sir.

Senator FALL. Plenty of arms and ammunition?

Mr. PAIZ. Yes; everybody was well armed you know.

Senator FALL. You were 12 years old?

Mr. PAIZ. Yes, sir.

Senator FALL. Where did you finally go after traveling around in the mountains?

Mr. PAIZ. Well, after we got to Santa Clara, from there Villa planned to go to Nogales and raid Nogales, but about 40 men go away and squealed on us, so he got kinder mad and determined not to tell anybody what he was going to do next, and so when we got to

Columbus, none of us did not know. There were so many men innocent they did not know they were going to fight Americans; they thought they were going to fight Carranza soldiers on Mexican ground.

Senator FALL. You know now, since you have been living here, you know where the international boundary is, do you?

Mr. PAIZ. Yes, sir.

Senator FALL. Did you know at that time when you came across?

Mr. PAIZ. I knew it was, I thought it was a wall or something; I did not know when I crossed it.

Senator FALL. You thought at the time the international boundary would be marked by a wall and you would recognize it when you got to it?

Mr. PAIZ. Yes, sir.

Senator FALL. You did not find any wall, so you did not know where you were?

Mr. PAIZ. No, sir.

Senator FALL. When you got to Columbus that night, did you know you were in the United States?

Mr. PAIZ. No; I did not know it any more until I heard some of the Americans speaking English; I could not understand what they were saying.

Senator FALL. Now, where did you go, were you following Villa all the time, was Mr. Villa present?

Mr. PAIZ. Yes, sir; he stayed around town outside.

Senator FALL. Did you come up from the Boca Grande?

Mr. PAIZ. Well, it is a ranch; I don't recollect its name, but I remember—

Senator FALL. You came down the river, did you?

Mr. PAIZ. Yes, sir.

Senator FALL. Out on the plains?

Mr. PAIZ. Yes, sir.

Senator FALL. Where did you make your camp after you got out of the mountains?

Mr. PAIZ. Some place, I don't remember very well; it was south of the river.

Senator FALL. Where did you go from that camp?

Mr. PAIZ. Well, we turned and came to Columbus.

Senator FALL. Was that after dark?

Mr. PAIZ. Yes, sir; in the night, after dark.

Senator FALL. You only traveled at night?

Mr. PAIZ. Yes, sir.

Senator FALL. Laid up during the day, generally?

Mr. PAIZ. Yes, sir.

Senator FALL. So, from your last camp you started after night?

Mr. PAIZ. Yes, sir.

Senator FALL. When did you reach Columbus, about what hour?

Mr. PAIZ. About 4 o'clock we started to dismount.

Senator FALL. Where were you when you started to dismount?

Mr. PAIZ. About three miles from Columbus, or two miles on the west side.

Senator FALL. On the west side?

Mr. PAIZ. Yes, sir.

Senator FALL. Down the railroad west?

Mr. PAIZ. Yes, sir.

Senator FALL. Where did you go from there?

Mr. PAIZ. Well, I was quite sleepy, you know; I was sleeping on my horse a little. A fellow came along and hit me on the leg and woke me up and I seen everybody cocking their guns; and I went and looked for my father and asked him what was Villa about to do, so he told me there was to be a fight; and so I was going to go with him, and he told me to stay there and hold his horse so he could get away.

Senator FALL. Where was that, now, where he told you to stay?

Mr. PAIZ. Right there on the other side of the trench, you know; west of the town.

Senator FALL. West of the customs house. How close was it to the customs house?

Mr. PAIZ. Quite far.

Senator FALL. Some little distance?

Mr. PAIZ. Yes, sir.

Senator FALL. You know that little hill back of the customs-house?

Mr. PAIZ. Yes, sir.

Senator FALL. How far from that hill?

Mr. PAIZ. About half way from the town to the hill, I believe.

Senator FALL. Your father told you to stay there and hold his horse?

Mr. PAIZ. Yes, sir.

Senator FALL. You stayed?

Mr. PAIZ. I stayed.

Senator FALL. How long did you stay?

Mr. PAIZ. I stayed until they started running back through those hills, you know; retreating from town.

Senator FALL. Until the Villistas started back?

Mr. PAIZ. Yes, sir; and then a fellow told me my father was shot by the stockyards, the other side of the railroad tracks.

Senator FALL. Somebody told you that your father had been shot?

Mr. PAIZ. Yes, sir; Emilio was his name. I started in town instead of going out. I went in when everybody was running out.

Senator FALL. The men were all retreating—Villistas—and you started into town hunting for your father?

Mr. PAIZ. Yes, sir.

Senator FALL. How far did you go?

Mr. PAIZ. I went right in town, see.

Senator FALL. Yes.

Mr. PAIZ. I tried to go across the tracks, I saw a black figure and thought it was my father, so then I could not get across there because there was some shooting down around there and I came back on the hills and I seen—there were two men, Mexicans, came out with two horses, I thought it was Mexicans, I did not say anything, so I started back to town and then there was somebody shot at me, recognized me, they were my own men, see, and some Villista men were shooting at me. I hollered at them not to shoot at me, I was a Mexican, they would not listen to me, so I hollered there until I could get my get-away out of there. Somehow I beat it. So I started

by that hotel, you know, that was burned, they could see me real good, you know, so they shot me, shot the leg off here, not quite off, you know, the dum-dum bullets——

Senator FALL. Who shot you?

Mr. PAIZ. Well, I believe it was the same men. I don't think the American soldiers used dum-dum bullets, did they?

Senator FALL. I never heard of it.

Mr. PAIZ. I was shot with dum-dum bullets, and I know my own men used them.

Senator FALL. You knew your own men were using dum-dum bullets?

Mr. PAIZ. Yes, sir.

Senator FALL. How did they make dum-dum bullets?

Mr. PAIZ. They called them dum-dum bullets because they were soft lead.

Senator FALL. Did you do any shooting there yourself?

Mr. PAIZ. Yes, sir; I had to get out of that alley where I was.

Senator FALL. Whom did you shoot at?

Mr. PAIZ. Well, there were three Mexicans shooting at me, I believe, because there were no Americans shooting then, and there was two Mexicans on one of the corners and another Mexican on the other side of the house. I was there at one corner; he was at the other corner. I had the six-shooter, and he had a gun, and I would not give him time to shoot. He would not let me get out. I started to peep; he shot at me. I could not shoot until I left there; they thought I was dead, you know. They started to come out; I saw them and took another shot at him.

Senator FALL. You took another shot at him?

Mr. PAIZ. Yes, sir.

Senator FALL. Did you hit him?

Mr. PAIZ. Yes, sir; I did not see him any more, so I ran across the street, and I tried to get, you know, out from where I came from, see; and they started to shoot at me from that way, so I turned back around the other way, see; I was around east of town. I don't know where I wanted to get out, so I turned on the other side, and they seen me through that light—flames from the hotel—and shot at me.

Senator FALL. That is when you got shot in the leg with a dum-dum bullet?

Mr. PAIZ. Yes, sir.

Senator FALL. And these three Mexicans had been shooting at you?

Mr. PAIZ. Yes, sir.

Senator FALL. And when you got a chance, you shot one of them and then started to run?

Mr. PAIZ. Yes, sir.

Senator FALL. And then they shot you in the leg?

Mr. PAIZ. Yes, sir.

Senator FALL. When were you captured; how long after you were shot?

Mr. PAIZ. I was picked up and captured about 2 o'clock in the afternoon—1 or 2; I don't remember.

Senator FALL. Do you know Francisco Villa—well, Gen. Villa?

Mr. PAIZ. Yes, sir.

Senator FALL. You knew him well?

Mr. PAIZ. Yes, sir.

Senator FALL. Personally, you had been down with him about San Geronimo?

Mr. PAIZ. Yes, sir. I was around him most of the time; my father was his chief of staff; they called him one of the Dorados.

Senator FALL. Was Villa himself at Columbus?

Mr. PAIZ. He was not in town; not inside of the town, but he was outside.

Senator FALL. He did not come into the town?

Mr. PAIZ. No, sir.

Senator FALL. Do you know Martin Lopez?

Mr. PAIZ. Yes, sir.

Senator FALL. Do you know Pablo Lopez?

Mr. PAIZ. Yes, sir.

Senator FALL. Did you see Pablo Lopez on that trip you were making into Columbus?

Mr. PAIZ. Yes, sir.

Senator FALL. Where did you see him?

Mr. PAIZ. Well, we united at San Geronimo, you know, after they held up the train at Santa Isabel.

Senator FALL. How did you know about that train at Santa Isabel?

Mr. PAIZ. I heard the men talking about it.

Senator FALL. What men?

Mr. PAIZ. The men among the soldiers.

Senator FALL. Did Pablo Lopez join you there at San Geronimo?

Mr. PAIZ. Yes, sir.

Senator FALL. Was it some of his men talking about it?

Mr. PAIZ. Yes, sir; you know different bands around in the mountains; we all scattered.

Senator FALL. But it was some of Pablo Lopez band talking about the train at Santa Isabel?

Mr. PAIZ. Yes, sir.

Senator FALL. Who made that attack on the train at Santa Isabel?

Mr. PAIZ. Pablo Lopez.

Senator FALL. That was when the Americans were killed there?

Mr. PAIZ. Yes, sir; about 17 or 18.

Senator FALL. Since the raid at Columbus, where have you been living?

Mr. PAIZ. I was sent to the hospital, and after I got well I went to Albuquerque to school; I was there about two years and they sent me away, after I was 15 years old; you know, after a boy gets to be 15 they send you where you come from; you see, I told him to send me to Gallup. I wanted to go to work, so they sent me to Gallup.

Senator FALL. Gallup, N. Mex.?

Mr. PAIZ. Yes; I worked there in the hospital after I quit school, you know; then I came to Deming.

Senator FALL. Came to Deming?

Mr. PAIZ. Yes, sir. Then I started to school again until the term went out, so I waited until the next year and this year, and did not go to school then; I quit.

Senator FALL. Where are you living now?

Mr. PAIZ. I am working at Columbus.

Senator FALL. What are you doing?

Mr. PAIZ. Pressing, in a tailor shop.

Senator FALL. You have learned English since you have been in this country?

Mr. PAIZ. Yes, sir.

Senator FALL. You did not understand it before you came here?

Mr. PAIZ. Not a word.

Senator FALL. So, when you heard Americans at Columbus talking you did not understand what they were saying?

Mr. PAIZ. Did not understand what they were saying.

Senator FALL. That was the first time you realized you were in the United States?

Mr. PAIZ. Yes, sir.

Senator FALL. Have you heard of your father since that fighting at Columbus?

Mr. PAIZ. No, sir; I believe he was killed.

### TESTIMONY OF MR. GUS T. JONES.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee duly authorized thereto.)

Senator FALL. Where do you live?

Mr. JONES. El Paso.

Senator FALL. What is your business?

Mr. JONES. Special agent of the Department of Justice?

Senator FALL. How long have you been such special agent?

Mr. JONES. I have been special agent four years.

Senator FALL. In your official capacity, have you at present with you an official list which you regard as correct of the United States soldiers who were killed at Columbus in the raid?

Mr. JONES. Yes, sir.

Senator FALL. Will you kindly examine this list and read off the names and state whether that is official?

Mr. JONES. Yes, sir.

Senator FALL. Read the names off, please?

Mr. JONES. Sergt. John G. Nievergelt, band, Thirteenth Cavalry; Corpl. Paul Simon, band of the Thirteenth Cavalry; Sergt. Mark A. Dobbs, Machine Gun Troop, Thirteenth Cavalry; Corpl. Harry A. Wiswall, Troop G, Thirteenth Cavalry; horseshoer Frank T. Kindvall, Troop K, Thirteenth Cavalry. Pvt. Frank A. Griffin, Troop E, Thirteenth Cavalry; Pvt. Thomas Butler, Troop F, Thirteenth Cavalry; Pvt. Jesse P. Taylor, Troop F, Thirteenth Cavalry.

Senator FALL. Those were killed?

Mr. JONES. Yes, sir.

Senator FALL. You haven't a list there of the wounded?

Mr. JONES. Yes, sir.

Senator FALL. Read the list.

Mr. JONES. Capt. G. Williams, Thirteenth Cavalry; Lieut. C. C. Benson, Thirteenth Cavalry; Corpl. Michael Barmazel—do you want their organization?

Senator FALL. If there is any difference, are they all of the Thirteenth Cavalry?

Mr. JONES. All of the Thirteenth Cavalry. Pvt. James Venner; Pvt. John C. Yarbrough and Pvt. Theodore Katzorke. Those are the soldiers killed and wounded.

**TESTIMONY OF MR. LEE RIGGS—Recalled.**

(The witness was duly reminded by Dan M. Jackson, Esq., secretary of the subcommittee, that he was previously sworn.)

Senator FALL. Mr. Riggs, did you have any means of ascertaining the number and the names of the civilians killed at Columbus during this raid of which you testified this morning?

Mr. RIGGS. Yes, sir.

Senator FALL. Have you those names there?

Mr. RIGGS. Yes, sir.

Senator FALL. Will you kindly give them to us for the record?

Mr. RIGGS. N. T. Ritchie, H. H. Walker, Charles De Witt Miller, Dr. H. M. Hart, James T. Dean, J. J. Moore, Mrs. M. James, C. C. Miller, and Harry Davis.

Senator FALL. You read the name of Mrs. James. Do you know who Mrs. James was? Did you know her before her death?

Mr. RIGGS. Yes, sir.

Senator FALL. Who was she?

Mr. RIGGS. She was the wife of Mr. James, pumper.

Senator FALL. Railroad pumper at that place

Mr. RIGGS. Yes, sir.

Senator FALL. Did you know Charles De Witt Miller?

Mr. RIGGS. No, sir.

Senator FALL. Did you know C. C. Miller?

Mr. RIGGS. Yes, sir.

Senator FALL. What was his business?

Mr. RIGGS. Druggist.

Senator FALL. Did you know Ritchie?

Mr. RIGGS. Yes, sir.

Senator FALL. What was his business?

Mr. RIGGS. Hotel proprietor.

Senator FALL. Proprietor of the Commercial Hotel?

Mr. RIGGS. Yes, sir.

Senator FALL. What was Mr. Dean's business?

Mr. RIGGS. Merchant.

Senator FALL. You learned later who Charles De Witt Miller was?

Mr. RIGGS. Yes, sir.

Senator FALL. Who was he?

Mr. RIGGS. He was an engineer.

Senator FALL. He had been State engineer of the Territory of New Mexico, had he not?

Mr. RIGGS. Yes, sir.

Senator FALL. Have you a list of the civilians wounded?

Mr. RIGGS. Yes, sir.

Senator FALL. Who?

Mr. RIGGS. Mr. James.

Senator FALL. Husband of Mrs. James?

Mr. RIGGS. Yes, sir. Mrs. J. J. Moore, A. D. Frost, M. Puchi.



**TESTIMONY OF JUDGE E. L. MEDLER.**

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. Where do you reside, Judge?

Judge MEDLER. At present in El Paso, Tex., for the last year.

Senator FALL. Where have you resided before coming to Texas?

Judge MEDLER. Previous to that time, for about 34 years, in New Mexico.

Senator FALL. What official positions, if any, have you held in New Mexico?

Judge MEDLER. Well, I have held various official positions, but in later years, from January, 1912, until January 1, 1919, judge of the third judicial district of New Mexico.

Senator FALL. Prior to that time you had been assistant United States attorney in New Mexico?

Judge MEDLER. Yes; for a number of years.

Senator FALL. Was the county of Luna within your judicial district?

Judge MEDLER. No; it was not; my district comprised the counties of Dona Ana, Otero, Lincoln, and Torrence; Luna County was within the district presided over by the present United States judge, Colin Neblett.

Senator FALL. Did you at any time during the year 1916, or thereafter, hold court in Luna County?

Judge MEDLER. Under an order of the supreme court of New Mexico, made some months previous to March—some months previous to April, 1916, I believe it was—I believe it was the year of the Columbus raid—I was designated by the supreme court to hold the April term of the district court of Luna County at Deming.

Senator FALL. Did you hold that term?

Judge MEDLER. I did; yes sir.

Senator FALL. Did the hearings concerning the Columbus raid come before you in your official capacity at that time?

Judge MEDLER. They did. I presume you have reference to the trial of the Columbus raiders.

Senator FALL. I have.

Judge MEDLER. Yes, sir.

Senator FALL. Were those Columbus raiders tried before you?

Judge MEDLER. Yes, sir.

Senator FALL. That was in April, 1916?

Judge MEDLER. As I now remember.

Senator FALL. How many were on trial?

Judge MEDLER. There were seven and a little boy who was ostensibly on trial, but we never tried him, but arranged he should be taken care of by the civil authority institutions.

Senator FALL. Have you seen that boy here?

Judge MEDLER. I have not seen him; he had his leg cut off.

Senator FALL. Jesus, come up here. [Here Jesus Paiz stood up.] Is that the boy over there?

Judge MEDLER. He was about 12 years old at that time; he was known to us as the son of Villa's orderly.

Senator FALL. There were six or seven others?

Judge MEDLER. Seven others. There were two trials; six of them tried under one indictment, and one and this boy tried under another indictment.

Senator FALL. What was the result of the trial in the case of the six jointly indicted?

Judge MEDLER. The six jointly indicted were convicted of murder in the first degree and sentenced to be hung.

Senator FALL. By whom was that sentence imposed?

Judge MEDLER. By myself.

Senator FALL. Was that sentence carried out?

Judge MEDLER. As to those six I can not say. Six were tried on one day, and, as I say, another one on the following day, and of the seven convicted and sentenced to be hung six were subsequently executed and one of them had his sentence commuted to life imprisonment by Gov. McDonald.

Senator FALL. They were indicted, convicted, and sentenced for murder in connection with the Villa raid at Columbus?

Judge MEDLER. If my recollection serves me right at this time, they were jointly indicted, together with Francisco Villa, for the murder of Charles DeWitt Miller, who had formerly been the State engineer of the State of New Mexico. That was the formal charge.

Senator FALL. And they were convicted and sentenced under that charge?

Judge MEDLER. Yes, sir.

Senator FALL. Six of them were hung?

Judge MEDLER. Five of those six that were tried on that day and one convicted on the succeeding day; there was one of the six, any way; six of them were executed.

Senator FALL. Previous to their execution were they granted a reprieve for the purpose of allowing the Government to examine into the justice of their conviction?

Judge MEDLER. After the trial, no appeal having been taken in their behalf, certain persons at their own instance caused an investigation to be made, on the grounds that the trial was not regular. Several articles were written in the newspapers to that effect and representations made to President Wilson, and my information is that through request of himself, executions were held up and reprieves granted until a full investigation of the record of the trial could be sent on to Washington.

Senator FALL. After such investigation, however, they were finally hung?

Judge MEDLER. Except as to one of them, who I was informed by Gov. McDonald the evidence did not actually show he fired a shot, but was present during the raid in the town of Columbus.

Senator FALL. In the trial of those cases did either of the defendants testify, make a statement?

Judge MEDLER. My recollection is that all of them took the stand and based their defense upon, as they were in the military service, they were following orders.

Senator FALL. Do you know whether later in the investigation pursued by the Government confessions were obtained from these men?

Judge MEDLER. My information is that there was, but their evidence was practically a confession, evidence given by themselves

there were confessions that they were present and engaged in the raid, but claimed immunity on the ground that they were in the military service of Francisco Villa and acting under military orders.

Senator FALL. Now, you have stated that subsequent to the sentence of these men that certain parties, at their own instance caused investigations to be held and that resulted in reprieve and final examination of the evidence, etc., in the case by the President, or his—

Judge MEDLER. His legal advisers.

Senator FALL. His legal advisers?

Judge MEDLER. That is the information I obtained from public officials and also newspaper reports.

Senator FALL. Prior to the conviction of these men and their sentence by yourself, was there any interference of the trial or any attempted interference of the trial?

Judge MEDLER. I don't know whether any interference; there was a protest made against their trial.

Senator FALL. By whom?

Judge MEDLER. My recollection is that upon Saturday night of the first week of the term of the court, the grand jury reported these indictments and warrants were immediately issued and the defendants were taken into charge by Sheriff Simpson, of Luna County, he took them to the jail at Deming. During the next week, or the following week, their cases were set for trial, and we had a statute in New Mexico that requires that a list of the jury in capital cases be served upon the defendant 24 hours in advance of the trial. My recollection is the jury lists were served upon these defendants Wednesday morning and their cases set for the following Thursday morning at 9 o'clock. The court was in recess during the afternoon of Wednesday and I had gone to my hotel where I was stopping. About 4 o'clock in the afternoon Maj. Waddel, the then district attorney, called me over the telephone and advised me that a man by the name of Stone, special agent of the Department of Justice, was in Deming and desired to confer with me, or make some communication to me regarding the trial of these raiders. I advised the district attorney I would hold no consultations with anyone concerning a case in court, except in open court, and if Mr. Stone had any communication or anything to say to me, as judge of the court, I would hear him at 8 o'clock that evening in the courtroom.

At 8 o'clock that evening, in the court room. Mr. Stone was introduced to the court by Waddel upon the statement that he had some statement to make to the court from his superior officers, I understood the Attorney General. I told him I would hear any statement that he had to make concerning any matter in court. He then stated he was instructed to come to Deming and protest against the trial of the Villa raiders at that time; that is to say, on the following morning. He produced a telegram from the Attorney General.

Senator FALL. Attorney General of the United States?

Judge MEDLER. The Attorney General of the United States; containing these instructions, which I read. He also produced a telegram from Gen. Funston, who was then in charge of the Southern Department, in San Antonio, and also produced a telegram from the Secretary of War, or the Secretary of State—I can not remember

which—it is my present recollection it was from the Secretary of State, but I would not be positive as to this. The substance of these telegrams was that these various departments protested against the trial of the Villa raiders, or Columbus raiders, as we called them, on the ground that it would involve the United States in international complications with Mexico.

Senator FALL. These telegrams were submitted to you?

Judge MEDLER. They were submitted to me in open court.

Senator FALL. What was your decision?

Judge MEDLER. I told Mr. Stone that these defendants were regularly indicted by a properly impaneled grand jury of Luna County; that they were in charge of the sheriff of Luna County; that the grand jury had previously reported that the jail of Luna County was insanitary and not a proper place to confine prisoners; and that to continue the trial of this case would involve their being held in jail for six months, and I saw no reason why the court could not proceed to try this case on the following morning; that Gen. Pershing was in Mexico with his expedition trying to arrest Francisco Villa, a co-defendant named in this indictment; and that if the trial of these raiders would involve the United States in international complications, to my mind it would seem that the United States was already involved. In other words, I practically told him there would be no "watchful waiting" around my court or any of my courts. I think that was the substance of the language I used.

Senator FALL. You then proceeded with the trial?

Judge MEDLER. He then asked me if I had any objections to talking over the telephone with Summers Burkhart, the United States attorney at Albuquerque. I told him I would if he had Mr. Burkhart on the telephone. He stated that he had Mr. Burkhart on the long-distance telephone. I had known Mr. Burkhart for quite a number of years and easily recognized his voice. Mr. Burkhart, when he found I was on the telephone, advised me he had received instructions from the Attorney General to go to Deming and protest against the trial of these Villistas; and I said, "Upon what grounds?" and he says "Upon the ground you will not give them a fair trial." I told Mr. Burkhart if that was the ground upon which he based his protest, until to-morrow at 10 o'clock, the time of the arrival of the Sante Fe train, to make that statement in open court. He then apologized, stating he did not intend to make any reflections upon the court, but stated that the public feeling was such that he did not feel the defendants would get a fair trial. I assured him that as far as I had anything to do with it as judge of the court that they would have a fair trial, and the trial was proceeded with the next morning.

Senator FALL. With the result you have already testified to?

Judge MEDLER. Yes, sir.

(The committee then, at 4.30 o'clock p. m. Feb. 7, 1920, adjourned until 10.30 o'clock Monday morning, Feb. 9, 1920.)



# INVESTIGATION OF MEXICAN AFFAIRS.

MONDAY, FEBRUARY 9, 1920.

UNITED STATES SENATE  
SUBCOMMITTEE OF THE COMMITTEE OF FOREIGN RELATIONS,  
*El Paso, Tex.*

The subcommittee met pursuant to the call of the chairman at 10.30 o'clock a. m. in the county court room, courthouse, El Paso, Tex., Senator A. B. Fall presiding.

Present: Senators A. B. Fall and Marcus A. Smith, and Dan M. Jackson, Esq., clerk of the subcommittee.

## TESTIMONY OF COL. GEO. T. LANGHORNE.

Senator FALL. Colonel, will you state your name and rank to the reporter, please?

Col. LANGHORNE. George T. Langhorne, colonel of Cavalry, commanding Eighth Cavalry.

Senator FALL. Where are you stationed now, Colonel?

Col. LANGHORNE. At Fort Bliss.

Senator FALL. How long have you been at Fort Bliss on duty?

Col. LANGHORNE. This last time since about October 10.

Senator FALL. Prior to October 10 where were you stationed?

Col. LANGHORNE. Commanding the Big Bend district, and prior to that time for two years I was here and on the border.

Senator FALL. Colonel, we hear a great deal about the Big Bend district, and the people, of course, of the United States generally don't know what it means, what it is ordinarily; of course, in speaking of a bend of a river the average layman might have an idea that it might be a farm of a thousand acres for a big bend, or it might be more. Now, as a matter of fact, what is the Big Bend?

Col. LANGHORNE. The Rio Grande southeast of El Paso runs south and southwest, and then it runs north again and comes back to the railroad below Sanderson; it comes to the railroad at Del Rio. Taking the railroad as a tangent, the river is about 110 miles from the railroad; thus there is a large bend jutting into Mexico. This is called the Big Bend country; it is about 14,000 square miles, larger than Massachusetts and Connecticut put together. About 53 per cent of it is mountains and canyons, a very peculiar country; it has peculiar formation called the rim rock, which runs for about 100 miles; there is a big plateau on which is Marfa, Valentine, Alpine, and Marathon, and it drops down about 2,500 feet to the valley of the Rio Grande, and on account of the fact that this is so far away from the railroad—that is, the river—there has been much opportunity there for an unsettled country and disorder rather than order.

Senator FALL. So you have been guarding a territory approximately as large as two of the New England States?

Col. LANGHORNE. Yes; with a front of about 420 miles of river.

Senator FALL. And that front is the international boundary between the United States and Mexico?

Col. LANGHORNE. Yes, sir. The headquarters of this district as it is called, is at Marfa. That makes the outlying stations 50 to 100 miles away from headquarters with very difficult roads and trails.

Senator FALL. Colonel, what has been the conditions in this district during the time you have been guarding it, and up to the present time, if you know, with reference to violence?

Col. LANGHORNE. When we went there there was a great deal of violence and disorder, especially on account of what is called raids, stealing parties that came over from the other side to steal cattle on this side and take them across; and they had been smuggling cattle and mules and horses from the other side to this side, but most of the cattle in Mexico had been killed off, and there is very little of that smuggling from that side to this side now. And people were a little bit upset for fear of loss of life, as well as of property, from these raiders.

Senator FALL. Has there been loss of life along the Big Bend district during the last two years or more from raiders?

Colonel LANGHORNE. Yes, sir; in a number of instances.

Senator FALL. Now, who were these raiders, if you know?

Col. LANGHORNE. I suppose I take it chronologically?

Senator FALL. Very well, if you will.

Col. LANGHORNE. This is just from memory: The first that I heard of was the killing of Sitters, who was a river guard, and Hulen, a ranger, and that was at the hand—probably by some bandits who lived around Pilaes, using the Mexican term. About 100 miles of that river front—and these were smugglers and bandit bands there who had been there for a number of years operating on both sides of the river. The next that I had anything to do with, was the Glenn Springs raid, and that from the best evidence we could obtain was done principally by some men that came from the Laguna district; they called themselves Carrancistas. There was about 20 of those came up and then added to them were others that lived right on the border on both sides.

Senator FALL. Were any of these men identified after the Glenn Springs raid, that is, did you discover the identity of any of them through any evidence you had?

Col. LANGHORNE. There were a number of them captured and tried and put in the penitentiary and they claimed to be—

Senator FALL. Carrancistas?

Col. LANGHORNE. Carrancistas; and then there were a lot of bandits and smugglers with them that had no standing, except being Mexicans. I will refer to a report I have, chronologically, as to the others: As we were marching down to the Big Bend in the early part of October, 1917, we heard on the Mexican side there was a Mexican force marching down, and when we were at Fort Hancock they were reported nearly opposite us. One of the first patrols I sent out was under Lieut. Ferguson. That patrol of about five men and the lieutenant reached Nevill's ranch, and according to the report to me,

which was carefully investigated, they saw about 150 Mexican troops on the other side. These were reported afterwards to be the escort of Gen. Jose Murguia. About 50 of that bunch crossed to this side and came toward the soldiers and Mr. Nevill and his son Glenn. Mr. Nevill acted as interpreter. About 20 of these men that came across began to round up Mr. Nevill's cows, and 30 of them came toward this small patrol and took a position on a hill.

The report goes on to say that the lieutenant halted them and demanded that the commander come forward. It is reported that this commander stated he thought these American soldiers were Villistas. The lieutenant and Mr. Nevill held this commander under the guns of the party and ordered those Mexicans that were rounding up the cattle to cease that and then all of them to go back across the river, which they did. And then they permitted the commander to go back. That was the first instance that we had. You can readily see there that that lieutenant was up against 150 to his 5 men that he had and Mr. Nevill and the boy, so he could not have very well taken them prisoners, even if he had instructions to do so. That was his first time there. The next instance of importance was the taking of Ojinaga by Villa on November 14, 1917. He made two attacks, one in the morning, which failed, and one in the afternoon—made one at night, just at nightfall. He drove the Carrancistas to this side, and then he held Ojinaga for several days and left himself, and his command stayed there for probably a month.

Senator FALL. What became of the Carranza garrison at Ojinaga?

Col. LANGHORNE. They came to this side and I put them in wagons, or, rather, trucks, and brought them up to Marfa. Those that were on horses I had them march up to Marfa, and I had the Mexican consul here put to my credit in the Marfa National Bank enough money to cover all of their expenses at one time; rather, to the credit of my quartermaster. We drew on this fund for expenses of these Carrancistas, and then ordered a train and put them all on the train and the train was held until the Mexican consul here paid, or guaranteed payment, of the whole force to Juarez and the return of my guard; that did not cost the United States a cent.

Senator FALL. Did these Mexican soldiers of the Carranza garrison have their arms with them?

Col. LANGHORNE. We disarmed them when they came over and sent their arms along with them, such arms as they had not thrown away.

Senator FALL. After they got here to El Paso, do you know what became of them?

Col. LANGHORNE. They were sent right across the river to Juarez.

Senator FALL. Juarez was in charge of the Carrancistas at that time?

Col. LANGHORNE. At that time.

Senator FALL. They were allowed to take their guns with them?

Col. LANGHORNE. They were shipped right across; I suppose in bond. My guard immediately turned them over to the Mexican authorities on the other side, everything they had, which was not very much. The Villistas, as I said, remained there under the command of a man named Sanchez, for quite a while. The United States would not recognize an open port there with the Villistas there. Villa gave us no opportunity to get him at that time and they committed no depredations as long as they were there.



Senator FALL. Villa committed no depredations as long as he or his garrison was there?

Col. LANGHORNE. No. We could not work with them because they were not de facto Government troops.

Senator FALL. But you had no reason to work against them?

Col. LANGHORNE. No; we did not have any excuse. Now, the next of importance was on November 30, 1917. Mr. Tigner had a ranch near the river; it was reported to me by telephone that some of his cattle had been stolen by some Mexicans—Mexican raiders. I ordered Lieut. Matlack, who was at Indio, to follow this trail, and in the meantime sent some troops to reinforce that sector. He reported that the trail led across the river and went into Mexico, and the next day I had him follow the trail, which he did, with 20 men—21 men.

Senator FALL. Into Mexico?

Col. LANGHORNE. Into Mexico, he followed them down below the place we call Indio and ran into about 250 of them and they had arranged an ambush to capture him and his men, but he ran around the ambush and charged in the midst of them and had a fight in which he killed a number and lost one man and five of his horses. He returned to this side and reported to me with this man's body, and Mr. Tigner did not get back. I directed troops to cross and get the body—get Mr. Tigner—which they did. They got Mr. Tigner the next day by Capt. Matlack going back after him. A large number of bandits were killed by Capt. Matlack's party, and the guide with Lieut. Matlack at that time was also killed by these Mexicans and the next day these Mexicans fired on one of our patrols and wounded one of these men named Pvt. Kleist of Troop I, Eighth Cavalry. I ordered the troops to cross, which they did and drove off these Mexicans, killing about 12 of them. That was just a few miles below the other place. The first locality was Buena Vista and the second one was called Mimbres. And the next instance of importance I have here was on Christmas day, 1917. It was reported to me at Marfa by Mr. Brite about 11 a. m. that his ranch was being raided. Mr. Brite has a wonderful ranch and extremely fine cattle, as all you gentlemen know.

Senator SMITH. How far from the river?

Col. LANGHORNE. As the crow flies about 16 miles; it is on the top of this rim rock that I have described to you. It is very difficult country below the rim rock. You have heard a description of the fight there. Let's go back a little. On my first arrival in Marfa I tried to organize all of the people so they would assist the troops and give us information, and they were organized. They responded very well and we organized automobile services, you might call them; that is, almost every ranchman offered his automobile and gave himself as a driver at \$1 per trip on expeditions, and we called upon them whenever we needed them. On this occasion we called on the automobiles, and in 18 minutes after Mr. Brite reported to me the soldiers were going out by automobile to his ranch. Some men, civilians, had gone on ahead of them, and their dust warned the bandits, and the bandits made for the rim rock; the soldiers got there in time to follow them to the rim rock and have some shots at them. Those soldiers took along their saddles, but the bandits had taken off about 25 of Mr. Brite's horses and there were no horses

to put the saddles on. At the same time I ordered troops from Ruidosa and Indio to march up the river and try to cut off these bandits who were making for the river; of course they left their Christmas dinner; it was just before dinner-time. They started up; they had to make a march, some of them 50 miles and some of them 60 miles—Capt. Fiske and Capt. Anderson making 50 miles and Lieut. Matlack about 60. It was a very cold, hard march that night over this very rough country. The bandits themselves got lost, as we found later by their tracks, and they attempted to cross the river at one or two places, where they lost a lot of horses in the quicksand, and finally they crossed at a place called Los Fresnos. The troops picked up the trail about a day late and followed them in, striking them about 5 miles inside, and then followed them until there were no more bandits to follow—up toward the canyon or spring called Siete Alamos.

Senator FALL. Why were there no more bandits to follow, Colonel?

Col. LANGHORNE. The troops thought they had killed them all, or they had gotten away; they began to fall out. There were 29 bandits who took part in this; one was killed at the house, probably by the Neills; they dug his body up, which was in Carranza uniform, which we had photographed, but nobody would recognize him as a Carrancista. Then in this time a number of them probably fell out, and there were a number that were killed on the other side. Showing the difficulty that young officers have to contend against: There was a Mexican packer with this outfit; of course the pack trains had to go along with these troops and take supplies, and as he knew that country, he was asked where there was water, and he replied, there was no water nearer than the river, which compelled this outfit to turn back; but if they had gone on 600 yards they would have come to this spring and found water—this was afterward verified by another patrol, who operated in that expedition and recognized the place where the soldiers, where they came, it was within 600 yards of this water hole. Mr. Brite lost probably four to seven thousand dollars' worth of property there. While the troops picked up a large number of these horses, they were run down, they were in the quicksand and found by the troops in Mexico, some of them shot by the troops, so he got back only two or three of these horses, and he got back practically none of the property taken from his store. This was the instance where the mail driver, Mickey Welsh, was killed, and two Mexican passengers were in his mail coach, and where a very gallant fight was put up by the two Neills. I take it you merely want me to check up on these various occurrences?

Senator FALL. Yes, sir.

Col. LANGHORNE. There were a great many instances during this time when Mexicans came across and stole property, and by that time the Carrancista forces had gone back to Ojinaga and were in control on the other side, and just to give you an example of how they handle things: It was reported that near San Jose some Mexicans had come across and taken three animals belonging to an old Mexican living on this side by the name of Francisco Estricero. The Mexican authorities promised to return these animals, or have them returned, by 12 o'clock the next day. Twelve o'clock the next day came but

the animals were not returned. These Carrancista troops were trying to get food from this side, Presidio, and other places there, and sent a great many wagons on this side of the river, and while I could not close the port, I ordered nobody would be allowed to cross the river until these animals were returned. At 4 o'clock the report came that they had found out the cost of the animals and had given a check dated six days ahead, made out in favor of the Mexican who owned the animals, for the amount he said they were worth. Then we permitted crossing of the river to continue and we cashed the check after six days.

Senator FALL. You could not close the port, but you could prevent stuff going out of the port across the border.

Col. LANGHORNE. We had to regulate traffic.

Senator FALL. In that way you forced payment for the animals?

Col. LANGHORNE. Forced payment for the animals. Same kinds of things happened at various times. Another time was during the food control. The Carrancistas wanted a lot of corn, about 600,000 pounds of corn, I forget exactly, and a party of them had stolen 10 head of cattle and horses from a man named Davis on this side, and through the collector of customs here, he had to give the order for the passing of this corn, I arranged that it should not be passed until he satisfied the conditions we imposed about these stolen animals, and that was, they were to pay \$50 a piece for these stolen animals, and if they returned the animals they got back the \$50 and the man was to get the money for the others; well, that cooperation worked very well. When they put up the money the corn was allowed to pass.

Senator SMITH. About the only cooperation you got, wasn't it?

Col. LANGHORNE. We got pretty fair cooperation from the officials on this side. The next one I have here was a raid on the Nevill ranch on March 26. We had word of this raid before it occurred from Lieut. or Capt. Matlock, who was then at Candelaria. Just to explain why forces and troops were stationed at different places: You know this was the time of war and we wanted to go to France and we wanted to train the troops; having them scattered out in small detachments the training could not go on very well, so the smallest detachment we wanted to make at any time was a troop, like an organization of a company, or battery, for that reason at Candelaria there was a troop. At what we call Evett's ranch, about 34 miles above Candelaria, was another troop, Capt. Anderson, that was so difficult a place we could not supply it by wagons and we had to supply it by pack trains, which was quite 12 miles from the railroad south of Valentine, and a place called Holland's ranch, we supplied it with pack trains that had to go over the rim rock with supplies. The report we had about these Mexicans was that they were going to Bosque Bonito, which is about 30 miles above Nevill's—no, more than that, about 40 miles above Evett's ranch, we will say; Evett's ranch is near Pilaes, so there was a Lieut. Gaines sent out from Evett's ranch; he patrolled up a piece as far as Bosque Bonito and warned the people at the Nevill ranch about this intended raid; Mr. Nevill was not there at the time; then he came on back to Bosque Bonito, and came on back to Nevill's upper ranch, because there is a telephone there.

About half past 12 at night I got word by telephone that Nevill's lower ranch had been raided. This lieutenant had gotten this word:

he went there at once and found that Nevill's boy had been killed and a woman living there had been killed, and they found—Neville came in himself later and the husband of this woman had escaped and got a pony and gone up to Lieut. Gaines, who was only 6 miles away, and gave him this message. Then I sent Capt. Anderson with his troop from Evetts, directed him to go up there and then sent the pack train down. Sent Capt. Anderson with another troop to him on a freight train that night and had him go 100 miles or 115 miles by rail to march over the mountain so he could get the Nevill's ranch that night. Lieut. Patterson from Hester's ranch marched 25 miles between half past 12 at night and 4 o'clock in the afternoon and also arrived at Nevill's ranch with his troops. I sent a force then consisting of Capt. Anderson and his Troop G, Capt. Tate and his Troop A, which had come from Marfa, and a pack train on the trail of these bandits. The bandits split several times, but they kept on and they followed them over these mountains which were extremely difficult for about 70 miles; the Mexicans doubled back and came in near the river near Pilares. There they laid in ambush for the troops, but the troops went on and fought them for about 11 miles.

These bandits were reinforced by the people by the outlaw place, Pilares, Mexico, and also probably by some Carrancista soldiers, under Lieut. Enrique Montova, who was professing to aid us, but came up from across Candelaria and boasted he had fought against us and drove us out. Our soldiers found about 10 dead and found the horses of Nevill and equipment belonging to Nevill's ranch and the boy that had been killed, and probably they killed a great many more than that. There were 29 in the raid, and the report as we checked it up showed there were about 33 killed. We lost Private Albert of A Troop in that fight. During April it was reported continually from here through the intelligence corps and from San Antonio that large numbers of Mexican troops were coming north to the border, when they got down to us it was that they were going to raid along the border. On April 23, about that time, they arrived opposite Fort Hancock, which was then in the Big Bend district. Some of them crossed the river and stole some things on this side; then they proceeded that night to shoot up one of our patrols and the patrol was reinforced and the next morning the officer reported that they were fired at again and they fired back and killed quite a number of Mexicans, but I had sent some troops down from Marfa and went down myself by automobile and there was a mine run by some Americans just opposite this place which is called San Juan.

Senator FALL. That is in Mexico?

Col. LANGHORNE. In Mexico, in San Juan, the Carrancistas crossed this port about six miles from Fort Hancock, and after crossing they seized three Americans working at the mines. I telephoned to Andres Garcia, the inspector general, the Mexican consul. I asked him to come right out there, which he did by automobile, and arrange for the release of these three Americans. I had the Mexican officers, all of them, come over and see us, and we had some very nice troops. They did not show their troops very much. Then this colonel, Col. E. Martinez Ruiz, said his orders

were to march this force down on the Mexican side to Ojinaga. I pointed out to him and to that Mexican consul to do that certainly involved difficulties; they had nothing to eat, and there were about 2,000 of them. It was at the time of the food control, and I tried to get them some food or arrange for some food to be passed to them at Fort Hancock, but they bought only a very small amount. They started down the river, and our troops marched with them on this side, but a part of our troops, the first part of our troops, would pass and then the next would come along and find where the Mexicans came over and raided, killed cattle, or robbed houses, and that kept up all the way down to Candelaria, and only in one case were our troops able to catch one of these parties, which was near Evett's ranch, and Corpl. Kline of B troop, he had about four or five men, he ran into a bunch of them just at nightfall, and Corpl. Kline's party was fired on; he returned this fire, and the next morning they went down there and found three dead horses and three wounded horses, and these wounded horses had swords on them, which showed they were officers' horses of these Carrancista officers. That force drove off about 11 head of cattle. So we demanded of Mr. E. Martinez Ruiz a receipt for all of these things that had been stolen, amounting to several thousand dollars, and had Garcia down here; the Mexican consul general paid this money to me, which I then distributed to these various ranchers; because these were Carrancista troops. This particular measure was taken instead of other means of handling it. I had my troops assembled at various points along the river. We would see the officers; Col. Ruiz, he sent me several very funny letters; one was, "Please tell my soldiers not to be upset if they heard any firing on the other side," because it was only his soldiers who were firing at rabbits and hares, not at us, as they had nothing to eat. And then I had to—at Candelaria—to go over and return the visit of Col. Ruiz and his officers, and a very pathetic thing happened; he sent over to see if he could not borrow some sugar and coffee in order to extend hospitality to our officers, who were visiting him. They were actually down; they ate their burros; they had nothing to eat at all, and it was disgraceful to march the forces, and could only result in complications; it was only on account of the fact our troops were very well disciplined and the people were very well disciplined, or there would have been other untoward results of such a move as that. Due to some change in orders, for a time there were a number of robbers that would come over and get things on this side and we could not follow them.

Senator FALL. There had been a change of orders?

Col. LANGHORNE. And there had been a change of orders and they soon found out, and they would send over and steal, then they would be insulting to our officers, sending them all sorts of messages. However, that was again changed, but it was during that period an instance took place of making them pay for some horses and cattle through the cooperation of our collector of customs here. The department commanders were changed, then, right after that incident of the Mexican troops marching down, and Maj. Gen. Holbrook, who is now the department commander, came to Marfa and was staying with me at my house, and at 4 o'clock in the morning came a report from down at Miravillas canyon, 140 miles from Marfa, that

the Mexicans had crossed to this side and stolen a lot of cattle. I sent troops from Glenn Springs, which had to make a tremendously long and difficult march in that locality and I reported the matter to Gen. Holbrook, and he sent a telegram to Washington and obtained authority to follow these Mexicans. The country there is very difficult, the trail runs along the river and across the river.

Now, they could not follow that trail; the troops would get 5 miles down the river and have to come back 15 miles to come up another canyon, so the troops, to keep up with this cattle, they would lose something like two or three days; then they took the trail and followed it, and a terrible rain storm and hail storm came up and obliterated everything in the way of a trail. That was the only failure we ever had in sending troops across. Those cattle were taken off a man who had a reputation as a bandit, but he was also supposed to be an officer of the Carrancista Government, and it was in Coahuila. Coahuila had given us very little trouble; that was the only case of trouble during my stay in the Big Bend. We never got those cattle back, unless they got them back through Del Rio, and we tried to have it done there by amicable arrangements. To show you another instance, about the early part of March, 1919, the commanding officer at Indio reported that five head of Mr. Tigner's cattle had been stolen, that was in the afternoon, so I told him to follow the trail and to get ready to follow these cattle the next morning at daylight and go to the place of crossing, and also notified the Mexican consul, and I demanded payment for these cattle because we thought they had been taken by Carrancista soldiers or for them.

So the next morning he was at this place of crossing, and there were some Mexican officers, one was a major and had a telephone put in, and necessitated, if we had crossed it would have been going right after the Mexican troops, de facto Government troops, because they had taken the cattle, so I permitted this officer, who was Capt. Minard, to accept a receipt for these cattle at \$60 a head, which was the price Mr. Tigner put on them. It took me about six months to get that money back from Consul General Garcia here, which I finally gave to Mr. Tigner on March 22, and in the afternoon Capt. Klepfer, who was at Ruidosa, reported that a number of cattle had been taken off belonging to a Mexican named Nunez, who had a ranch in the Ruidosa Mountains, so I directed him to have his troop ready and follow them down to the place of crossing and for him to investigate and have his pack train and all. And he reported about 4 o'clock in the afternoon that the trail was perfectly plain, and I directed him to follow across and get them back. He followed them and he struck the bandits and the cattle about nightfall and had a little skirmish, and he got back 24 of the 25 cattle; one of these had been butchered and was on the fire, so he brought back the meat, accounting for all of the cattle.

Then he started back that night with the cattle and with the pack mules, and a terrible storm came up, rain and hail, lasting about two hours; but he held all of the bunch of cattle and got back across the river about 1.15 the next morning, after having covered about 50 miles. The next was about April 1. A party of Mexicans came across the river between Ruidosa and Candelaria and stole some

more cattle and horses. Capt. Matlack reported it to me. I think, about 11 or half past 11 at night, and I directed him to follow them. In all of these movements, you can understand, it was necessary to move the troops around. If you are going to release a troop at one place, you have got to get other troops to take their place to properly patrol the river, to make the necessary protection. Capt. Matlack followed these cattle before daybreak and ran into the bandits and cattle on this side, coming up with them, and he followed the trail of the bandits down to the river and saw where they had crossed with their horses, and I directed him to follow. In the meantime I had ordered another troop up to this place of crossing, so we would have two. I also called on the Mexican consul in every case. We always reported to the military Mexican commander to get cooperation of the Mexican troops. They always protested against our crossing, begging us not to cross; they would handle the matter. Of course they could not be believed. In this case he stated there was no necessity of our crossing, because he said Capt. Chico Cano would give us every assistance to capture the bandits. Capt. Matlack, with two troops, he followed them. He divided. He sent one troop up the river and followed them toward the mountains and came across them about 1.30 that afternoon; and all of the bandits were killed, except Chico Cano, who got away with two holes through him; also recovered the horses that had been stolen.

Senator FALL. Capt. Chico Cano was helping you?

Col. LANGHORNE. Helping us. In this report I have it a little different. Capt. Matlack reported Capt. Chico Cano was in charge of a raiding party and received two wounds in the fighting, and the stolen stock was recovered. I have only recited a few of these instances. In many cases reports would come in, and we would investigate and find they did not justify our crossing, and we did not cross the river, and it would probably be handled some other way. To show you the alertness of the troops, I received from the commanding officer at Candelaria the following telegram: "Big Bend District, Marfa, Tex., January 22. Luis Munoz entered the United States two miles and a half south of Candelaria; stole two pigs." "February 10, Luis Munoz was hung by Romero Madrid." Signed, "Matlack." There were a large number of instances. I sent a band to these troops to Candelaria that were so isolated; the band stopped at different places down the river and the troops would gather at these little places. They got to Indio and were having a concert, and all of the troops had come up from the various places mentioned, and some one came up and reported that six horses had been carried away. The troops went out and followed the trail, only to find it was three Americans prospecting and had not given word they were passing through.

Now, the next instance of any importance was the seizure of those two aviators. They went down in Mexico and thought they were in the United States, and they were seized by some Mexicans and held for ransom. We were continually looking for those aviators by planes and the Mexicans were promising to look for them. On Sunday, which was a week after they had been lost—no, I think it was Saturday, Capt. Matlack telephoned up that he had intercepted a letter, which was from this Mexican bandit, saying he had these aviators and demanded \$15,000 for them. I reported this matter, and

my recommendation was to the department commander that we get the aviators alive, if we could, but did not want to risk their being killed; that we would make the best arrangement that we could and would I be authorized to pay this money, and then immediately to follow the men that were holding these men for ransom, these aviators for ransom. That was approved.

Senator FALL. You would pay the entire \$15,000, if necessary?

Col. LANGHORNE. We were authorized to pay up to that. We did not hear from it, they had to go to Washington, but that night I sent out, rather they were holding an important camp meeting, an annual camp meeting up near Marfa, quite an event in the Big Bend country, and the word got to them that these aviators were being held for \$15,000; in five minutes ranchers had instructed the bank there to pay over to me the money—\$15,000—and they would take chances on getting it back from the Government, so the next morning I sent this money by the banker, Mr. Fennel, down to Candelaria where Capt. Matlack was handling the situation. He that night, after working on plans for 24 hours, 36 hours, at his personal risk got back the aviators and there was no opportunity for us to seize them before that and I directed that the troops follow, and had arranged—made all arrangements—sent a troop from Marfa and placed them along the river and they went in after these men. Of course you gentlemen realize that country is extremely difficult and the troops did some remarkable marching, had to go over several ranges of mountains, had to find water, the trail could easily be lost of a single man on those rocks. The aviators cooperated and shot down the horse of the principal Mexican, he then escaped over the rocks, leaving no trail. That was—

Senator FALL. Ruiz Renteria?

Col. LANGHORNE. Ruiz Renteria. However, the troops got some others—got four of them—of that same band and killed them, and they made a very credible performance, and were brought out so as to avoid any complication with Carranza troops, because as these Mexicans had gone behind the Carranza lines, then you have, as you can readily see the risk of a clash with the de facto government troops, if you go through after them. But to show you cooperation: The Mexican general objected to our going in because they said they were going to look for those aviators, and I said you are seven days late in starting, eight days late, and the aviators had been picked up by some Mexican and being held for ransom; that we had paid what we had to and obtained back the aviators, and now that we were chasing the men that picked them up. They said they were going to start immediately; the next was, they objected to our crossing. I said we had a right to cross, had to cross; their troops tried to stop ours, but we had the most troops and in better position and they did not stop us. They fired, we found afterwards, at the aeroplanes, but on the second day a telegram came from Gen. Dieguez, which Mexican Consul General Garcia here sent to me, and asked me to forward to Gen. Pineda, it was directing him not to interfere with our troops at all and let us pass. I sent the telegram by aeroplane to Gen. Pineda, and also to our troops.

Senator FALL. This was after you had met them, however, and they did not interfere with you when you had more troops than they had?



Col. LANGHORNE. When we had more troops than they did, and it is not very wise to have fewer troops. Those, I think, cover the instances you gentlemen want brought out. I would like to bring out one thing to show cooperation of the citizens of the Big Bend district with the troops. This occurred at the time Villa made his raid, and it was necessary for us, from a military standpoint, to have absolute control, which we did, especially the lines of communication there, you know—75 to 100 miles. And this necessitated some new soldiers stopping ranchmen, but they never objected at all at any mistake the soldiers made, and it was very surprising, because some recruits, armed with six-shooters, seemed to me a remarkable thing that Texans submit to it and not have any difficulty, but recognized, however, that the recruit may have been over zealous; but the citizens sent me a paper—several papers, signed by various persons, practically all of the citizens of that county, and evidently they had started out with some paper and changed it; but one got to me in its original form, which was something like this: "We want to show you we thoroughly approve of all measures you have taken at this time and especially in practically declaring martial law in certain portions of this county, and if you wish to extend that to any portion of the county we are with you and assure you it is all right to do so." With the cooperation of those automobiles, a man that might at any moment furnish his automobile for three or four days, and they did it within 5 or 10 minutes—

Senator FALL. Of course, you appreciated it not only showed their loyalty but also the fact they had confidence in you?

Col. LANGHORNE. Oh, yes. At one time I told them we wanted to take troops to the river, a hundred and ten men, and we wanted to start in three-quarters of an hour. In three-quarters of an hour the troops began to go to the river, and were down there in four hours without an accident, something we could not have done with our limited transportation facilities at that time.

Senator FALL. What was the morale of the Mexican troops on the other side, just generally speaking?

Col. LANGHORNE. They haven't any.

Senator FALL. What was the morale of the American troops under your command? You say that you kept them in troop formation, as I understand, prepared to and hoping to go to France?

Col. LANGHORNE. Well, due to this hard work, tremendously hard work, and the fact that every man and horse out there had to be kept in careful condition to do 50 miles a day for four days—that was the standard—and the fact they never knew what moment they were going to be called on to run a risk, and on account of various inspections and drills and competitive competitions, the troops kept in a very high state of morale and also fitness. We made—the troops made marches that were extraordinary without any loss of man or animal.

Senator FALL. I suppose your regiment, of course, had been inspected by regular inspectors?

Col. LANGHORNE. By regular inspectors and by department commanders and special inspectors, and they have all been very complimentary.

Senator FALL. Colonel, is that a report of an inspection of your command?

Col. LANGHORNE. Yes, sir; this is a summary sent out by the War Department by order of the Secretary of War, in which is contained, it states, a report made to the War Department by Col. Roberts, of the Cavalry, who made a special report on the regiment. He was an inspector in France and inspector of all this country.

Senator FALL. The date of this is July 9, you have no objections to that being made a part of the record?

Col. LANGHORNE. None whatever.

(Said circular is as follows:)

WAR DEPARTMENT,  
THE ADJUTANT GENERAL'S OFFICE,  
July 9, 1919.

From: The Adjutant General of the Army.

To: The Commanding General Southern Department, Fort Sam Houston, Tex.

Subject: Special report on Eighth Cavalry.

Under date of June 24, 1919, the following special report on the Eighth Cavalry was made by Col. T. A. Roberts, Cavalry, to the chief of the morale branch, General Staff:

1. The appearance and general morale of the Eighth Cavalry in this, the largest and most isolated of all border districts, is so remarkably good that special report thereon is made.

2. I have seen considerably more than half of the regiment. On the 21st inst. I saw the entire garrison at Marfa on review—a weekly occurrence and nothing special on this occasion. I have never seen such a perfectly appointed command before in my service, the condition and appearance of horses, equipment, and men of the Cavalry, of mules, harness, wagons, and carts of the trains and of the pack train was such as to make a profound impression. Every buckle and strap was cleaned and oiled and in place. The gaiting of the horses, was remarkable. The entire command, with the exception of rolling kitchens, passed in review at a walk, trot, gallop, and extended gallop in nearly perfect formation—it was so nearly perfect that when one mule of the pack train, who happened to be a very fast trotter, passed at a trot while the command was at the extended gallop, it was easily noticed.

3. The spirit of the officers and men is splendid, as would be expected from a command in which so much attention is given to detail.

4. Not only was the command at Marfa in an exceedingly high state of efficiency, but the appearance of the troops at the outlying stations showed that this condition is general throughout the regiment. I saw a troop at Ruidosa charge down a hill with a slope of at least 60 degrees. The same troop, without any prior preparation, put over an exceedingly interesting fancy drill. Horses and mules at the outposts are as well cared for as those at headquarters.

5. In conversation with the commanding officer, Col. George T. Langhorne, concerning morale matters and methods, it was found that during the whole time he has been in command methods along the lines recommended by the morale branch have been in vogue, with most gratifying results. Needless to say, the ideas brought by me met with a cordial reception, and it can be confidently expected that anything new that might have been suggested will receive a thorough tryout.

6. Conditions at some of the outlying stations are exceedingly trying. The heat is great, but a few conveniences are available, but the spirit of the men is exceedingly good, and that of the officers generally is also very good, although one or two cases have been observed in which it is believed that officers have been too long alone. These cases are receiving the careful attention of the commanding officer.

The War Department considers this an excellent example of what can be accomplished by troops under trying conditions in maintaining a high state of training and discipline.

By order of the Secretary of War.

ALBERT GILMOR,  
Adjutant General.

Senator FALL. Speaking of the morale of the Mexican troops over on the other side, did any of them ever come over on this side?

Col. LANGHORNE. They were always doing that, Mr. Senator, they would come across at all sorts of times and we would generally

gather them in and turn them back. We kept them from getting bad health by letting them work on adobe piles, making brick, and one time practically the whole garrison of Presidio deserted, rather Ojinaga deserted and came across the river at Presidio, we kept them there and had to take them prisoners, and kept them there for several days and they did not want to go back.

Senator FALL. What were they doing?

Col. LANGHORNE. They were making adobes for us and of course we had to feed them, but did not pay them, but one of their officers who paid his head tax to get over we paid him as overseer of these prisoners. They would not go back until one of our officers, Capt. Ochs, in whom they had a great deal of trust and confidence, he persuaded them to go back to the other side at the request of the Mexican military authorities, who could not persuade them himself to go back; and these Carrancistas would constantly run over to this side to escape the Villistas and then we would have to take care of them.

We always took care of those men. There were four or five of my men down at a little place called Polvo. They, one night, went off on a spree and went across into Mexico, went into town and went into a pool hall and played pool, in coming back they were set upon by some Mexican troops and one of them was killed and the others got away. They did not have their rifles. We punished the men that were not killed for violating our orders in crossing into Mexico and they were sent to the penitentiary, I think, by the court, which seemed a little hard that our soldiers should be punished so severely, the others, of course, are never punished.

Senator FALL. But taken care of?

Col. LANGHORNE. Yes, sir.

Senator FALL. And fattened up?

Col. LANGHORNE. Yes, sir; quite a contrast.

Senator FALL. You have spoken, of course, in referring to these different instances of lack of cooperation or assistance, did you ever receive any assistance from the Mexican authorities on the other side?

Col. LANGHORNE. I can not recollect any. We received many promises, which were never kept. That little Martinez Ruiz, he could not handle his troops; they did not do anything especially against us, the most friendly relations generally existed, but beyond pleasant words nothing was done.

Senator FALL. During the month or more that Villa occupied Ojinaga through the command of Sanchez you had no reason to cross the river?

Col. LANGHORNE. We crossed at the Mimbres, but that was away from them; at Mimbres and Buena Vista.

Senator FALL. Not in the territory over which he had control?

Col. LANGHORNE. He was supposed to have control, but he was down at Ojinaga, and this was a great many miles away. He had given up control because when the Carrancista troops returned, these Villistas immediately marched out and did not put up any resistance. There was not force enough left for that.

Senator FALL. And you asked, of course, no cooperation from Villa?

Col. LANGHORNE. No, sir; we merely prevented them from having communication with this side.

Senator FALL. I think that is all, unless you care to make a further statement; it is possible we may want to ask you some few questions in executive session later.

(Then at 12.05 p. m. the committee recessed until 2.30 o'clock p. m., February 9, 1920.)

AFTER RECESS.

### TESTIMONY OF CAPT. WILLIAM V. OCHS.

Senator FALL. How long have you been in the military service, Capt. Ochs?

Capt. OCHS. Since 1916.

Senator FALL. Had you entered the military service as a captain?

Capt. OCHS. Why, I enlisted, sir, as a private.

Senator FALL. In the Eighth Cavalry?

Capt. OCHS. In the National Guard of Tennessee, sir.

Senator FALL. When did you enter the regular service?

Capt. OCHS. I entered the regular service October 7, 1917.

Senator FALL. In what capacity?

Capt. OCHS. As a second lieutenant of Cavalry.

Senator FALL. And you are now a captain?

Capt. OCHS. Yes, sir.

Senator FALL. Were you in the Eighth Cavalry during the time the Eighth Cavalry was stationed in the Big Bend district?

Capt. OCHS. Yes, sir; I joined the Eighth Cavalry approximately a week after they arrived and remained with them until they left, with them two years there.

Senator FALL. What troop were you in command of?

Capt. OCHS. In command temporarily of L troop, afterwards I troop, Eighth Cavalry.

Senator FALL. Where were you stationed?

Capt. OCHS. Stationed at Ruidosa first, Indio and Presidio, most of the time being spent at Presidio, Tex.

Senator FALL. What was your experience along the border in performance of your duties in the Big Bend district? Just go ahead, Captain, and tell shortly and distinctly what occurred there.

Capt. OCHS. My duties were to maintain, in my particular sector, law and order.

Senator FALL. In the performance of your duties did you receive assistance from the Carrancista authorities, either the civil or military, on the Mexican side of the line?

Capt. OCHS. Absolutely none from the military authorities and very little from the civil authorities. I was stationed at Presidio while the Mexican consul was stationed there and had occasion to be in close touch with him, and I received very little cooperation from him.

Senator FALL. Do you know anything about any raids, thefts, or robberies, or acts of violence on the American side committed by Mexicans from the other side of the river?

Capt. OCHS. They were too numerous to enumerate, Senator.

Senator FALL. What were the soldiers and officers of the Eighth Cavalry accustomed to do when a raid occurred from the other side of the river? What action, if any, did you take?

Capt. OCHS. If I could catch them on this side of the river, I used my own judgment; if it involved crossing the river, I wanted orders from higher authorities.

Senator FALL. Col. Langhorne, generally?

Capt. OCHS. Yes; generally.

Senator FALL. Do you know of any of the raids which took place during the time you were there?

Capt. OCHS. I do, sir.

Senator FALL. Do you know anything about the Glenn Springs raid?

Capt. OCHS. I was not present at that time.

Senator FALL. What raids do you personally know of?

Capt. OCHS. I know of the raid on Mr. Tigner's ranch, in which Capt. Matlack was in command of the troops. I took part in pursuit. I know of many other raids, similar raids that did not involve the crossing of the river at Presidio, due to the fact that strong Carranza forces were stationed at Ojinaga, which was directly opposite that sector, and crossing of American troops in that section would undoubtedly have meant conflict with the Carranza troops.

Senator FALL. Do you know of any of the Mexicans who were killed on this side of the river during any of these raids?

Capt. OCHS. Yes, sir; I know of some.

Senator FALL. Have you any record of any kind?

Capt. OCHS. I have a record of several soldiers being killed and presumably an officer by the name of Ricardo Flores; I will give you the date, for stealing corn and resisting arrest.

Senator FALL. That was on this side of the river?

Capt. OCHS. Yes, sir; in the vicinity of Haciendita, Tex., on Tuesday, December 17, 1918.

Senator FALL. Was he identified as a Carranza soldier?

Capt. OCHS. By some officers of the Carranza garrison and the consul.

Senator FALL. Both the consul and the——

Capt. OCHS. As a soldier, but not as an officer; this was denied.

Senator FALL. What raised the presumption that he might be an officer?

Capt. OCHS. That was the consensus of opinion among the Mexicans on this side of the river that he was a Carranza officer, and from what our scout could find out led me to believe he was an officer.

Senator FALL. Do you know about the identification of any other dead on this side of the river, from official record or otherwise?

Capt. OCHS. I do from record, sir; not from personal observation.

Senator FALL. Do you know of the discipline maintained by the Carranza military on the other side of the line?

Capt. OCHS. Why, I visited the Carranza garrison January 18, maintained by the Carranza officers, and from my observation there was absolutely no discipline. On several occasions while at Presidio petty thefts took place, smuggling of sotol and little crimes that did

not involve the necessity of going over; and then I talked to the consul relative to this business, and he said he was not able to cope with the conditions over there due to the fact that he was not in sympathy with that particular military administration in Ojinaga.

Senator FALL. This was the Carranza consul, was it?

Capt. OCHS. Yes, sir.

Senator FALL. And the military contingent there were under Carranza officers?

Capt. OCHS. Yes, sir; Col. Cevallos was commanding officer practically all the time, and I believe he is now under indictment for embezzlement.

Senator FALL. The Mexican consul, upon your report of thefts, etc., could not help you out because, he said, he was not in sympathy with the military contingent over there?

Capt. OCHS. That he was unable to do anything with them.

Senator FALL. Do you know anything about the desertions from the military ranks?

Capt. OCHS. Yes, sir; there were 57 desertions in March that came over at Presidio, Tex. We held them there as prisoners.

Senator FALL. Did they come over in a body, or how did they come?

Capt. OCHS. Came over in one body; all deserted in one day. They came over with their families, and I investigated their cause of desertion, and also questioned them in reference to conditions over there, and practically everyone that was investigated stated that they could not and would not under any circumstances remain as soldiers under the Carrancista régime in Ojinaga. They were ill fed and poorly clothed, the morale was low, had no sympathy with their officers, and were very adverse to being sent back.

Senator FALL. When did you first come in contact with them; when they came over here did they report to you, or how did you happen to meet them?

Capt. OCHS. Why, our patrols cooperated with the customs authorities and immigration authorities were picking them up all the time and bringing them in.

Senator FALL. Did you put them under arrest?

Capt. OCHS. I held them in the guardhouse.

Senator FALL. Did you turn them out of the guardhouse?

Capt. OCHS. Yes, sir; to deport them.

Senator FALL. What were they doing while you were in charge of them?

Capt. OCHS. Well, for exercise, we worked them on adobe brick. They could not remain in the guardhouse without some sort of exercise.

Senator FALL. Were they satisfied making brick?

Capt. OCHS. They seemed perfectly delighted and wanted to remain on the job without pay.

Senator FALL. Do you know of any attempt by the Carranza officers to get them to return to the other side?

Capt. OCHS. Yes, sir.

Senator FALL. Did you have any communication with the Carranza officers with reference to this subject?

Capt. OCHS. Yes, sir.

Senator FALL. What was the effect of it, purport?

Capt. OCHS. Col. Cevallos, the commanding officer at that time, came over and made a speech, begging them to go back, saying that he would waive the law relative to desertion in the Mexican Army if they would return; they would, of course, have to be punished, but the punishment would really be nominal and they would get good treatment if they would only come back.

Senator FALL. Did they agree to go?

Capt. OCHS. No, sir; they did not. Under no circumstances would they go.

Senator FALL. How did they happen to go back, if they did return to Mexico?

Capt. OCHS. Why, they were ordered back by—ordered turned over to the immigration authorities by telegraph, and when I told them that they were to be returned to Mexico they were taken down to the river; the military authorities had nothing whatsoever to do with their deportation. I was a witness at the time when they were sent back across the river by the immigration authorities, acting unofficially I assisted in the deportation.

Senator FALL. How did you assist?

Capt. OCHS. By persuasion.

Senator FALL. These Mexicans had confidence in you?

Capt. OCHS. Yes, sir; they had a good deal of confidence in me.

Senator FALL. You persuaded them to go back, did you?

Capt. OCHS. They said they would not go back unless I went back with them.

Senator FALL. Did you go back with them?

Capt. OCHS. I took them back over; yes, sir.

Senator FALL. Do you know what happened to them, if anything?

Capt. OCHS. I kept close in touch with what was going to happen to them and nothing resulted.

Senator FALL. They were not punished?

Capt. OCHS. No, sir; to my knowledge none of them were punished, because I was over there afterwards and checked up on them.

Senator FALL. You persuaded them that if they would go back they would not be punished?

Capt. OCHS. I personally guaranteed that they would not be punished.

Senator FALL. Under that guaranty they agreed to return if you would go with them?

Capt. OCHS. Yes, sir.

Senator FALL. Did you ever get an acknowledgment, any expression of gratitude, from any Carrancista officials for your services in this matter?

Capt. OCHS. No, sir.

Senator FALL. Now, during the time you were stationed there did you receive any cooperation—you have stated you did not from the military authorities in your attempt to preserve law and order, but that you were in touch with the consul at Presidio; what cooperation was he able to render you, if at all?

Capt. OCHS. By promises only, none of which, to my knowledge, were ever fulfilled.

Senator FALL. What was the condition, generally, during your entire term of service in the Big Bend district in reference to violence or fear of continuous violence; were they good or bad?

Capt. OCHS. Carrancistas?

Senator FALL. The conditions, I mean, that existed in the Big Bend district.

Capt. OCHS. Well, the conditions were very bad at times.

Senator FALL. What, in your opinion, would have been the condition at all time had the Eighth Cavalry been removed from the Big Bend district and no other United States troops placed there?

Capt. OCHS. It would have been a veritable hell.

Senator FALL. Could American citizens have remained in that district, in your judgment?

Capt. OCHS. Impossible.

Senator FALL. How about the natives—that is, the Mexicans who were American citizens or who were residing on this side—could they have remained there in safety?

Capt. OCHS. They could not, sir.

Senator FALL. If the military were removed from that Big Bend district to-day, as you know of it, what would be the result; the same as if they had been removed at any time in the last two years?

Capt. OCHS. Yes, sir.

Senator FALL. Then, in your judgment, it is absolutely necessary, for the protection of the American border from raids from Mexico countenanced by or unopposed by the Carranza government, to maintain a military force in the Big Bend district for protection?

Capt. OCHS. Yes, sir.

Senator FALL. Have you any further statements you desire to make, anything you can think of, of interest to the investigation?

Capt. OCHS. I have nothing further to say; but I would like to state I think the story has been brought out that there was hardly a week during my service along the Rio Grande that there was not some depredations or petty thefts, all of which were reported immediately to the Mexican consul, but he was unable to act because he was in sympathy with such crimes. I think that was brought out.

Senator FALL. You neither had his assistance, effective assistance, nor that of the military authorities in checking such depredations?

Capt. OCHS. No, sir.

Senator FALL. Well, we thank you, sir.

#### TESTIMONY OF CAPT. LEONARD L. MATLACK.

Senator FALL. Captain, of what State are you a native?

Capt. MATLACK. Kentucky, sir.

Senator FALL. How long have you been in the military service?

Capt. MATLACK. I started in the military service in 1898.

Senator FALL. How old were you at that time?

Capt. MATLACK. About 18 years, sir.

Senator FALL. In what capacity did you enter the service?

Capt. MATLACK. As a private, sir.

Senator FALL. Where did you see your first service?

Capt. MATLACK. In Porto Rico, sir.

Senator FALL. Then, where?



Capt. MATLACK. In the Philippine Islands.

Senator FALL. And then?

Capt. MATLACK. In Fort Russell, Wyo.; Fort Apache, Ariz.; Fort Yellowstone, Wyo.; Fort Wingate, N. Mex.; Petanza, Philippine Islands; Jolo Mindanao, Philippine Islands; Camp Stutzenburg, Luzon Island in the Philippines; Fort McKinley, Philippine Islands; Fort Bliss, Tex., and the Big Bend district and back to Fort Bliss.

Senator FALL. When did you receive your first commission?

Capt. MATLACK. I was commissioned in June, 1917.

Senator FALL. Prior to that time had you been made a noncommissioned officer?

Capt. MATLACK. Yes, sir; I had worked from private to the highest rank I could hold, first sergeant.

Senator FALL. You were made a commissioned officers in 1917?

Capt. MATLACK. Yes, sir.

Senator FALL. What commission, what rank?

Capt. MATLACK. Second lieutenant of Cavalry.

Senator FALL. When did you receive your commission as captain?

Capt. MATLACK. August 28, 1918.

Senator FALL. That was while you was on service in the Big Bend district?

Capt. MATLACK. Yes, sir.

Senator FALL. Did you speak Spanish before you entered the Army?

Capt. MATLACK. No, sir.

Senator FALL. You are familiar with the Spanish language now?

Capt. MATLACK. Slightly, sir.

Senator FALL. You learned it during your service in the Army in the Philippines and Porto Rico?

Capt. MATLACK. Yes, sir.

Senator FALL. Your name has been mentioned. Captain, on one or two occasions with reference to the investigation which the committee is conducting with regard to occurrences in the Big Bend district. Just state where you were stationed in the Big Bend, what your duties were, and what occurred generally. Go ahead.

Capt. MATLACK. When I first went to the Big Bend district I was stationed in Ruidosa; from there I went to Indio, and from Indio to Pilares, and from Pilares to Candelaria. My first experience in the Big Bend district with conditions in Mexico was at Ruidosa; there was a band of Mexicans opposite there at Barrancas, which is the Mexican town opposite Ruidosa. That night, as near as I remember, there were 17 women that came into the United States that had been raped. Fled to our side for protection and treatment. The next thing was Lieut. Col. Jorge Meranga being whipped in San Antonio, Mexico, by Alfonso Sanchez, a Villa general; he, with his entire garrison, deserted and came to the United States to Candelaria, Tex. They were fed and quartered, and then they thought the situation was safe enough for them to go back into Mexico. We let them go back. The next thing that happened was on December 1, 1917, when Mr. Tigner's ranch was raided and cattle driven into Mexico. I took my troop, a detachment of my troop of 21 men, and followed a fresh trail into Buena Vista. We were ambushed at this place and five horses shot from under my men, one soldier killed and one wounded.

We whipped the Mexicans out of the town, and later found the carcasses of Mr. Tigner's cattle, and they were identified by their hides; and Mr. Tigner became lost during this engagement and we had to go back and get him out.

Senator FALL. When did you go back after Mr. Tigner?

Capt. MATLACK. The next morning before daylight and tried to find him; we went back three times that day and tried to find Mr. Tigner, but he was so frightened he stayed in the brush and would not come out. The next morning I crossed the river before daylight and found him and brought him home.

Senator FALL. You say you found the carcasses of Mr. Tigner's cattle there?

Capt. MATLACK. Yes, sir. Mr. Tigner's foreman had been killed, a man named Justo Gonzalez; his hands were tied and his head had been crushed with a rock, and we found the rock close to him. There was a man by the side of him named Ruiz, who had been shot during the engagement, and he was the only one they had apparently tried to take care of. I think the evidence was that in view of that he had been carried in there badly wounded, as he was the only dead Mexican that had been taken inside.

Senator FALL. Were there any outside?

Capt. MATLACK. Yes, sir.

Senator FALL. How many?

Capt. MATLACK. I saw 18, but the reports from the Mexicans themselves were to the effect that 35 had been killed and 9 wounded.

Senator FALL. But you only saw yourself 18?

Capt. MATLACK. Yes, sir.

Senator FALL. Go ahead.

Capt. MATLACK. On December 3, 1917, the Mexicans at Las Mimbres fired across the river and shot a private of the Eighth Cavalry through the leg and fired on the patrol. We crossed the river and had a fight with these men and destroyed the town of Los Mimbres and the town of Buena Vista.

Senator FALL. Burned the towns down?

Capt. MATLACK. Burned the towns; yes, sir. These towns had been reported to us by Texas rangers and river guards or immigration authorities and soldiers who occupied this district before we had that it was a bandit hang out and we found it that way shortly after we arrived in the Big Bend district.

Senator FALL. Were there any casualties during your operations on the other side?

Capt. MATLACK. At that time—

Senator FALL. Any among our men?

Capt. MATLACK. No, sir.

Senator FALL. Any among the Mexicans?

Capt. MATLACK. Twelve, the best we could find out. On December 13, 1917, Carranza soldiers commanded by Gen. Jose Murguia crossed into the United States at San Jose, Tex., and stole two horses and a mule. The Mexicans denied to me at the river bank that the animals were in their column, at the same time the man that owned the horses and mule was with me and identified them. They promised they would return them the next day at 12 o'clock. I remained in the vicinity of San Jose until 12 o'clock the next day and they did not

return the horses or the mule. I reported the matter to Col. Langhorne who stopped them from taking provisions across the river at Presidio and the Mexicans immediately paid by check for the stolen animals.

Senator FALL. That was the Carrancistas?

Capt. MATLACK. Yes, sir.

Senator FALL. They had been identified? They were identified as the stolen animals?

Capt. MATLACK. They were seen in their possession by the owner and they, the next day, paid for them. On December 17, 1917, a Mexican whom, I believed to be a Carrancista soldier—he fired at me across the river between Indio and San Jose. I shot the Mexican from his horse and the horse crossed the river into the United States and was identified as the property of Justo Gonzalez, the foreman on Mr. Tigner's ranch who was killed in Buena Vista on December 2.

Senator FALL. You stayed on this side and shot him?

Capt. MATLACK. Yes, sir. On March 29, 1918, I received a telegram from Col. George T. Langhorne to endeavor to have the Carrancista garrison stationed in San Antonio, Mexico, cooperate with us in running down the raiders of the Nevill ranch. I sent for the commanding officer, Maj. Vicente Sanchez, to have a conference with him and he sent his secretary, Lieut. Jose Maldonado, to my camp at Candelaria to talk with me relative to these raiders. I asked them to cooperate with us, sending a body of Carrancista soldiers to run the raiders down who had crossed into Mexico. He stated that their horses were in a worn-out condition and could not make the trip.

I told him if he would send 20 men over into my camp I would furnish them with American horses; that we wanted the raiders caught. He stated he would deliver that message to his commanding officer. Maj. Sanchez telephoned to Ojinaga and asked Gen. Jose Murguia's permission to accompany us on the American horses after the raiders. Gen. Murguia refused to give them permission. I knew that Capt. Enrique Montoya was in the vicinity of Comodoro, Mexico. I took my troop, went up the river on the Texas side, and sent a messenger over into Mexico and had Capt. Montoya come over to my camp. When he came across the river his clothing was covered with blood. I told him what I wanted and he said the soldiers were worn out, that they had been in Pilares, where the American troops had a fight with the Nevill raiders, and that he could not go back, but informed me that Maj. Ignacio Castro would pass through Pilares the following day, driving cattle and sheep to Juarez. He gave me a note to Maj. Castro, which I delivered the next day to Maj. Castro in Pilares, Mexico. Maj. Castro told me that his orders were from Gen. Murguia not to aid the Americans and not to allow them to cross the river into Mexico and not to try to capture the bandits that had raided the Nevill ranch.

While I was in Pilares I saw a soldier of Maj. Castro's command raiding the horses of the Mexicans who had been put out of the town. This act I later learned was attributed to the American soldiers. On December 25, 1917, I left Indio, Tex., to support the troops who had crossed into Mexico in pursuit of the bandits who had raided the Brite ranch. When my troop reached El Comodoro, Mex., I found a recruit out of Troop M, Eighth Cavalry, who had been shot by a Mexican. The man was wounded in the calf of the left leg with

a 30-30 soft-nose bullet. I sent a guard with him back to Candelaria, Tex., where he was given medical treatment. My troop went on from there to Pilares, carrying ammunition to support the troops that had crossed into Mexico. At the river we met the troops returning from Mexico with two or three pack animals loaded with articles of clothing, hardware, shoes, and trinkets that had been stolen from the Brite ranch. I saw three of the horses that belonged to Mr. Brite in the river, one dead and two stuck in the quicksand. They were so utterly worn out that we made no effort to save them. I saw another one on the American side of the river with his left front hoof torn completely off.

About May, 1, 1918, Ramon Karam, an Assyrian peddler, and his 14-year-old son with a wagonload of merchandise were held up by bandits in the United States between San Jose and Ruidosa, Tex., and taken into Mexico. Karam and his son were murdered, the wagon demolished, the team and contents of wagon stolen. I have in my possession an affidavit from the brother of Ramon Karam, who was with him on the occasion at which time I asked him to identify the clothing stolen from his brother when he was murdered. In this affidavit he says: "I saw the clothing on the person of Chico Cano and two of his men, whom I do not know; that I am positive that they were wearing shoes and clothing taken from my brother." The two men whom Karam did not know on this occasion were Andres Rodriguez and Ramon Segura. Both of these bandits were killed in El Comodoro on April 2, 1919. About May 8, 1918, Mexicans from Mexico tapped the telegraph line into the United States and were obtaining all information from messages sent and received to the various stations in the Big Bend district. I have two affidavits in my possession from ex-members of the Texas Rangers who were sent with a detachment of soldiers to the vicinity of El Comodoro, where we set up a wireless station that operated with one in Candelaria, Tex. We attached a wire to the line in Mexico to prove this, for we had had suspicions for several months and we found that buzzer messages were going over the Mexican line, although the Americans had no buzzers on this line. These affidavits are from two men who speak the Mexican language very well and who heard conversations go over that line and also heard the telegraph instruments working.

Senator FALL. Let me see if I understand you correctly: You suspected that the Mexicans had your wires on this side tapped?

Capt. MATLACK. Yes, sir; for every message that we received from Col. Langhorne in Marfa with reference to our troops having trouble, would effect the Mexicans and when the Brite-Nevill ranch was raided that Mexican garrison left San Antonio, Mexico, 20 minutes before I received the message.

Senator FALL. Then to convince yourself of that suspicion, that it was correct, you in turn tapped the Mexican wire?

Capt. MATLACK. I sent for two wireless biceps and tapped the Mexican line to prove it.

Senator FALL. And you obtained convincing proof?

Capt. MATLACK. I obtained convincing evidence from United States telegraph operators who were non-commissioned officers and members of the signal corps and also from these two extangers.

Senator FALL. File these two affidavits that you have, if you have copies of them, and they will be copied into the record.

STATE OF TEXAS,

*County of Presidio, Camp of Candelaria, ss:*

Personally appeared before me, the undersigned authority for administering oaths, one William P. Garlick, a resident of Brite, Tex., who being duly sworn according to law, deposes and says:

That between the 1st and 10th of May, 1918, while connected with the Texas State Ranger Force I was with a detachment of soldiers from Troop K, Eighth Cavalry, stationed at Candelaria, Tex., in the vicinity of El Comodoro, where there was a wireless pack set which operated with another wireless pack set in Candelaria; that the Mexican telephone line had been tapped for the purpose of ascertaining the class of messages sent over their line; that I heard a telegraph instrument on the Mexican line which was sending messages in English to and from various stations along the Mexican frontier line; that there were no telegraph instruments on the Mexican line and that the instruments we heard were not intended to be used on the Mexican line; that to make connection the American line would have had to be tapped; that I also heard conversation on the Mexican line that came from the United States and was not intended to pass over the Mexican line; that Miles J. Scannell, a ranger of the same company as myself, 3 Signal Corps men and 10 members of Troop K, Eighth Cavalry, were present.

And further the deponent sayeth not.

WILLIAM T. GARLICK.

Sworn to and subscribed before me this, the 25th day of July, 1919.

H. S. REEVES,

*First Lieutenant, Eighth Cavalry, U. S. A.,  
Summary Court.*

STATE OF TEXAS,

*County of Presidio, camp of Candelaria, ss.:*

Personally appeared before me, the undersigned authority for administering oaths, one Miles J. Scannell, a corporal, of Troop K, Eighth United States Cavalry, who, being duly sworn according to law deposes and says:

That between the 1st and 10th of May, 1918, while a member of the Texas State Ranger force, I was in the vicinity of El Comodoro, Tex., with a detachment of soldiers from Troop K, Eighth Cavalry, stationed at Candelaria, Tex.: that a wireless pack set was installed at this place which was operated in connection with another wireless pack set at Candelaria, Tex.; that the Mexican telephone line had been tapped for the purpose of finding out the kind of messages that were being transmitted over their line; that while listening over the Mexican line I heard a telegraph instrument sending messages in English to and from various stations in the United States along the border; that there were no telegraph instruments on the Mexican line, and in order for me to have heard these messages on the Mexican line the American line would have to be tapped; that William F. Garlick, a ranger, of the same company as myself, 3 Signal Corps men, and 10 members of Troop K, Eighth Cavalry, were present.

And further the deponent sayeth not.

MILES J. SCANNELL.

Sworn to and subscribed before me this the 6th day of August, 1919.

LEONARD F. MATLACK,

*Captain, Cavalry, U. S. A.*

Capt. MATLACK. The names of the Signal Corps men who caught the buzzer messages, which were proven to be messages sent from headquarters at Marfa, Tex., were Sergt. Perch and Corpl. Rush.

Senator FALL. Captain, right here I want to ask you a question: Did you have sources of information which you had arranged for, the nature of which, something in the nature of a secret service?

Capt. MATLACK. I did, sir: I had a secret service organized both in Texas and in Mexico of Mexicans.

Senator FALL. And through your agents you were able to obtain information that was not public?

Capt. MATLACK. Yes, sir.

Senator FALL. All right; go ahead.

Capt. MATLACK. On June 3, 1918, I arrested a Mexican by the name of Jesus Acosta, who had murdered an American citizen at Balmorhea, Tex., and fled into Mexico; he crossed back into the United States on a visit when he was arrested.

Senator FALL. How do you know he was the man that was wanted?

Capt. MATLACK. He had changed his name and was going under the name of Jose Rivera. Passing a little Mexican house 2 miles south of Candelaria I saw a sheet of letter paper on the ground, and I picked it up, and it was headed from Balmorhea, Tex., to Senor Jesus Acosta. Several months previous to this the captain of the ranger force had given me the name of Jesus Acosta as being wanted for murder. I made inquiry at this house, and they told me that Jose Rivera lived there. I wired off for a description of Jesus Acosta, and when it came back it gave me sufficient evidence to connect Jesus Acosta and Jose Rivera as being the same man. I arrested him and sent for the ranger captain to come and take him away. In my presence he confessed to the ranger captain that he had killed the American. Between October 1 and 16, 1918, when the American troops were prohibited from crossing into Mexico in pursuit of bandits, Cecilio Estrella, who was a fugitive from the United States, who helped organize the raid at Nevill's ranch at which time Glenn Nevill and Clara Castillo were killed, was sent from San Antonio, Mexico, as a captain of the band of Sociales.

Senator FALL. They were supposed to be rurales guard?

Capt. MATLACK. Border patrols, rurales guard, scouts, sent by Jose Murguia. This man and his men crossed into the United States a great number of times, stealing horses and mules. I asked the presidente of San Antonio, Mexico, to organize his men in his town and stop this practice. He got together some members of San Antonio, Mexico, and arrested Estrella; he at once told them he was a Carranza captain of the Sociales. The presidente came to Candelaria, Tex., and told me of his experience. I telephoned to Presidio, Tex., to Maj. Henry Anderson, and asked him to make inquiries at Ojinaga to the Consul Bengachila and learn whether or not Cecilio Estrella was a Carrancista officer. The telephone message came back inside of 30 minutes that the commanding officer at Ojinaga positively denied that Cecilio Estrella was an official. I so informed the presidente of San Antonio, Mexico, who again arrested Cecilio Estrella, upon which occasion Cecilio Estrella produced his commission as a captain of the Sociales, signed by Gen. Jose Murguia.

Senator FALL. Acting under Carranza?

Capt. MATLACK. Yes, sir. About October 15, 1918, a petition was circulated by the presidente of San Antonio, Mexico, among the inhabitants of that place, which was addressed to President Carranza, requesting the removal from that portion of the country of

the officers responsible for such acts as Cecilio Estrella and his men had committed in the United States. In this petition they stated they had seen animals stolen by Cecilio Estrella and his men; that these animals belonged to citizens of the United States, and that they were taken to Ojinaga, Mexico. They sent this petition to Candelaria, Tex., requesting that I deliver it, or send it to Carranza, because they knew that if they sent it through Ojinaga, Carranza would never get it. I brought that petition to El Paso, Tex., and in the presence of Mr. Gus T. Jones, of the Department of Justice; Mr. Robertson, United States District Attorney; Mr. Berkshire, of the Immigration Department; and Mr. Carpenter, of the Customs Service, presented it to the Inspector General of Mexican Consulates, Andres Garcia, explaining the entire situation to him at the time. About seven nights after this the same Cecilio Estrella and the same band of men came to San Antonio, Mexico, and endeavored to murder the presidente, Eduardo Garcia, for sending in the petition. The presidente, Eduardo Garcia, fled to the United States to save his life, and when I left the Big Bend district, was still living in the United States. On October 17 Cecilio Estrella, accompanied by several Sociales, came into San Antonio, Mexico, and went to the house of Jose Pallanes and took his wife from the house to another house on the outskirts of the town, where they fastened her to the floor with barb wire.

The same afternoon they crossed into the United States and rode through a cornfield to within 300 yards of the town of Candelaria, held up a man who was plowing in his field, unhitched his two horses, and took them into Mexico. That night a party of Mexicans from the United States joined a party of Mexicans from San Antonio, Mexico, and killed Cecilio Estrella and took the wife of Jose Pallanes from the house where she had been wired down.

Senator FALL. You are positive nobody but Mexicans went from this side?

Capt. MATLACK. Yes, sir. On October 18, 1918, one member of Cecilio Estrella's band, who had been wounded the previous night, was found hiding in the brush near the river on the American side. He had been wounded through the left hand. He was picked up by one of my patrols and brought to camp, where he was given medical attention. This bandit, Francisco Nieto, could write Spanish, and in his own handwriting wrote out a confession that he was a member of the Sociales, under Cecilio Estrella, and that they had been sent to that portion of the country to obtain mounts for the Carrancistas at Ojinaga, Mexico. A few days before this the Mexicans had crossed into the United States and stolen approximately 18 saddle horses from the United States customs officials on the Cleveland ranch.

Francisco Nieto told me that he knew who stole the horses and where they were. I sent a telegram to the customs officials at Ruidosa, Tex., that I would bring Francisco Nieto to Ruidosa and turn him over to them. While en route from Candelaria to Ruidosa while near the river Francisco Nieto jumped from the wagon and started to running to Mexico, as he was getting out of the river on the Mexican side I shot him. On April 2, 1919, while in pursuit of bandits who had raided the United States and stolen cattle and

horses we caught Esmeraldo Dominguez in Boquillas, Mexico. Esmeraldo Dominguez when delivered to the authorities was positively identified by Mr. Nevill as one of the raiding band which murdered his son and the Mexican woman on his ranch. When Dominguez was captured he attempted to escape and was shot by a member of Troop K, Eighth Cavalry, at which time he was badly wounded, he was taken to the Army camp at Candelaria, Tex., and given medical treatment. While in the guard house at Candelaria, Tex., Dominguez confessed to me that he was a member of a band of Mexicans who raided the Nevill ranch, that there were 29 Mexicans in the raid; that this party was organized by Jesus Urillas, Cecilio Estrella, and Juan Rodriguez. That Col. Pecolla, of the Carrancista force, was in Pilaes, Mexico, with 42 Carrancista soldiers when this band was organized at that place, and when it left that place to raid the Nevill ranch.

On April 2, 1919, Guillermo Estrada, with two other sociales under Chico Cano crossed into the United States about 2 miles south of Candelaria, Tex., and stole saddles and horses. The trail of the bandits was fresh and was followed into Mexico south of lower San Antonio, the trail turned up the river, and passed through lower San Antonio, upper San Antonio, and Boquillas, where the trail split. Some of the bandits went on up the Rio Grande River, and others turned back into the mountains. Capt. Broadhead, Eighth Cavalry, in command of Troop M, followed the river trail, and I followed the trail that led back toward the mountains. After following the trail for approximately 52 miles we came upon this band of bandits in a thick brush near the river. As we entered the brush they fired on us at a distance of about 35 yards; during the fight which followed five of the bandits were killed and three wounded. The five bandits killed were Andres Rodriguez, Pedro Salas, Placido Zapata, Ramon Segura, Carlos Rodriguez, Chico Cano was wounded in the left leg and left side. Julian de la O was wounded in the left hand, one unknown bandit was wounded in the right side.

Senator FALL. How did it happen you could not recognize that one?

Capt. MATLACK. The Mexicans that lived in San Antonio, Mexico, gave us the names, and they did not know him themselves. Only three or four saw him the next night going with Chico Cano down the river toward Ojinaga. On June 1, 1919, Reyes Pallanes, and Feliciano Hernandez were killed by two members of Troop K, Eighth Cavalry, on the American side of the river while attempting to smuggle sotol into the United States. There were three Mexicans in the party armed with Mauser rifles. When the American soldiers attempted to arrest the Mexican smugglers they were fired upon, the two American soldiers killed Reyes Pallanes and Feliciano Hernandez on the American bank. On August 17, 1919, a Mexican crossed into the United States with a note and inclosed in the same envelop were telegrams from the two American aviators, Davis and Peterson. These telegrams were to the Secretary of War, commanding general Southern Department, commanding officer Big Bend district, Maj. Walton, El Paso, Tex., and the fathers of Davis and Peterson. They were to the effect that they had been captured by Mexican bandits and were being held for \$15,000 ransom, which



must be paid by midnight August 19 or they would be killed. These telegrams were forwarded and every effort was made to get into communication with the bandit, Jesus Renteria, who held the American aviators for ransom. Shortly after the message was received in Marfa, Tex., Maj. C. C. Smith, Eighth Cavalry, and Mr. Fennell, vice president of the Marfa National Bank, came to Candelaria, Tex., with \$15,000 and delivered it to me to pay the ransom. With the money, I received this letter:

Capt. LEONARD F. MATLACK,  
*Eighth Cavalry, United States Army.*  
*Candelaria, Tex.*

MY DEAR CAPT. MATLACK: Maj. C. C. Smith, Eighth Cavalry, and Mr. Fennell, vice president of the Marfa National Bank, bearer of this letter, takes to you \$15,000 ransom money demanded for the return of the aviators, Lieuts. Peterson and Davis. This money has been advanced through the Marfa National Bank by the prominent ranchmen and citizens of this and surrounding counties, subscribed yesterday afternoon within five minutes after the news of the demands of the bandits were announced at a camp meeting.

Yours, very truly,

GEORGE T. LANGHORNE,  
*Colonel, Cavalry.*

I proposed through messengers 11 different plans by which I could secure the safe relief of the aviators and deliver the ransom money, all of which were rejected by Jesus Renteria, who demanded that the money must be placed in his hands before he would release the aviators. I would not consent to this plan, for I well knew the character of Jesus Renteria, who is known among his own people as a beast and fiend. I have been told by three Mexicans who were parts of the Brite ranch raid that Jesus Rentera sat on the body of Mike Welsh, the American mail carrier, and cut his throat with a pocket knife.

I had no reason to know that he would not do the same thing to the aviators after he received the money and if I left an opportunity for him to do such a thing. All the afternoon of August 17, the 18th the entire day, were consumed by these propositions, which took some time owing to the distance the messengers had to travel. At midnight on the 18th, at which time he said he would kill the aviators if we had not reached a satisfactory agreement at this time. I sent word to Renteria that the time was up that he had set; that if any harm befell the Americans that I would hold the lives of every Mexican in the three towns, lower San Antonio, upper San Antonio, and Boquillas, responsible for his acts, and that if he did not agree to one of my arrangements within an hour that I would enter Mexico in pursuit of him and his band, and the aviators would be taken from him. He sent word back immediately that he could find no one that would trust him, and that if I would bring one-half of the money on the old San Antonio trail, that he would send the aviators with one of his men to meet me; the signal for us to start would be a flashlight made by him on the mountains back of San Antonio, Mexico.

I waited some time and saw no signal and came to the conclusion that possibly he had made it with matches and we had failed to see it. I started into Mexico, traveling the old trail designated by Renteria, and went only a mile in Mexico, met an armed bandit with

Lieut. Peterson. I could only see the outlines of these men, it was so dark. I asked who it was, and Peterson replied that "it is Lieut. Peterson, United States Aviation," I delivered one-half of the money to the man that brought Peterson to me, took him on back of my horse, and recrossed the river into the United States, taking Peterson to my camp at Candelaria. Mr. Fennell turned over the other one-half of the money to me and I went back into Mexico for Lieut. Davis, traveling the same trail. When I reached the point where I secured Lieut. Peterson I stopped; no one was there. I waited about 15 or 20 minutes, and I heard two horses coming down through a cornfield left of the trail; as they passed very near me, I heard one Mexican whisper to the other one, "Mata dos gringos"; the other one answered, "seguro."

Senator FALL. Translate those Spanish expressions, if you please.

Capt. MATLACK. "Kill both gringos—both Americans"; the other one said "sure," and then said something about bosque—that is, the thick brush—and "rio," that is river.

After they passed out of hearing I moved about 100 yards to my right into an open field; shortly after this I saw a cigarette light coming through the trail. The man with the cigarette stopped where I had picked up Lieut. Peterson. My horse snorted and he came over toward me, and stopped within about 12 yards of where I was in the edge of some brush. About the time he took this position I heard a horse coming on the trail, and the Mexican with the cigarette made circles with the light in the air, and the horseman turned toward me. Lieut. Davis was walking on the ground in front of the mounted bandit. I told him to come to where I was and mount behind me on my horse. I had two automatics, and I told Lieut. Davis to take one, that we in all probability would have to fight, and for him if a shot was fired to lay down on the ground and to shoot at everything that moved. I told him that we were to be held up and killed while trying to get out, and that I was not going to pay the other money for him.

Senator FALL. You had come to this conclusion from the conversation which you had overheard of the two men?

Capt. MATLACK. Yes, sir; I thought that if I had to fight to save the aviator I had just as well fight to save the money. When Lieut. Davis was on behind my horse and had the pistol in his hand I endeavored to see who the bandit was; he was mounted. I rode close to him and took the money from my shirt and let him see it, trying at the same time to see him. I then told him that I was not going to pay another cent for the aviators; that if he moved I would kill him. I rode still closer and shook hands with him at which time he put his head down so I could not see his face; I told Lieut. Davis to shake hands with him, which he did, and still we could not see who the bandit was. I then told him to go back and tell Renteria to go to hell, that he had gotten the last cent of American money, and we rode out of Mexico following a different trail and crossing the river higher up than I crossed with Lieut. Peterson. I found out later from the Mexicans that the two bandits, from the Mexicans in San Antonio, Mexico, that the two bandits who endeavored to get between Lieut. Davis and myself and the river were Dolores Nafarrate and Benigno Olivas, who were both members of Renteria band who had held the American aviators for ransom.

The next morning, August the 19th, we crossed the international boundary line into Mexico in pursuit of the bandits. After following their trail for about 9 miles, the trail split, some of the bandits going north and some south into the high, rough mountain range. The aviators both accompanied me and told me they had heard Renteria speak of taking some money to his family in Coyame. After the trail split we worked through the mountain range endeavoring to get out on the large flat country known as the T O ranch and intercept the bandits when they came out of the mountains. They crossed the mountains further south than we thought they would and the next track we had of them was at the Paradero ranch, which is about 12 miles from Coyame, the owner of this ranch, a man by the name of Tarango, told us that Nafarrate and Olivas had passed through there en route for Coyame. That night I took 10 picked men and started for Coyame and tried to capture these two men; about 11 o'clock the same night we came in contact with a large Carranza patrol which was located in a deep canyon and guarding the trail to Coyame; our instructions had been to avoid a clash with the Carrancista troops, and we returned back and reported the matter and were ordered from Mexico.

Senator FALL. Now, Captain, there has been some criticism from uninformed quarters in reference to your failure to pay over to these bandits the entire \$15,000. Why did you not pay the entire amount? Did you understand that the United States Government had agreed with the bandits to pay the money?

Capt. MATLACK. No, sir; to this minute I have never received any official information that the United States would pay the ransom.

Senator FALL. What was your information as to who was paying it and what was your idea as to what was to be done with it?

Capt. MATLACK. The only information that I had was the letter that I received from the district commander when the money was sent to me, to the effect that it had been raised by the prominent ranchmen and the citizens of the country, and their money and not Government money.

Senator FALL. And you considered it your duty to your own citizens to save as much of their money as you possibly could as well as save the lives of the aviators?

Capt. MATLACK. Yes, sir.

Senator FALL. So that in so far as you were concerned you did not understand that under the circumstances, with these men trying to get between you and the river with the declared intention to kill you, and the money in your possession, being that of the citizens of the United States, you did not consider there was any breach of faith with your returning with half of the money?

Capt. MATLACK. I did not, sir. I could not reconcile myself to the fact that I should have honor in dealing with men who would try to murder one of these aviators and me after they received all the money.

Senator FALL. Captain, you say that a letter was sent over containing these telegrams?

Capt. MATLACK. Yes, sir.

Senator FALL. I do not care to know to whom that letter was addressed, but how did you get hold of it?

Capt. MATLACK. A Mexican was crossing the river with it. I saw him crossing and searched him and found it.

Senator FALL. Did you yourself see that the telegrams were sent?

Capt. MATLACK. Yes, sir; they were sent from my telegraph office in my station at Candelaria, Tex.

Senator FALL. Captain, what was the feeling between yourself and the Mexicans on the American side of the river, Mexican citizens or American citizens on the American side of the river with whom you had to deal; was it antagonistic or one of confidence?

Capt. MATLACK. It was extreme confidence. I have a petition addressed to Gen. Dickman, signed by the Mexicans of the United States side of the river, and also one signed by the Mexicans on the Mexican side of the river, requesting that we be not removed from that locality for fear of the consequences if we left.

Senator FALL. How many signatures are there to those petitions, have you counted them?

Capt. MATLACK. No, sir. Those petitions were delivered to Gen. Dickman who answered them by letters.

Senator FALL. These are copies in Spanish?

Capt. MATLACK. Yes, sir.

Senator FALL. Now, we will take these copies for the purpose of ascertaining the number of the names, and the secretary when he has ascertained the number will put them in the record, both those on the American side, and those on the Mexican side.

The SECRETARY. There were 27 names to the petition from colony of San Antonio of the municipality of Ojinaga, district of Iturbide, State of Chihuahua, and 46 names to the petition from Candelaria, Tex.

Senator FALL. Were there officers of the law to administer justice; that is, justice of the peace and other officials in the little communities on this side of the river along the border?

Capt. MATLACK. No, sir; not a ranger, there wasn't a customs man, an immigration official, or a justice of the peace until very recently at that point.

Senator FALL. Which point?

Capt. MATLACK. Candelaria, Tex. The American soldier was the only form of the law represented at that place.

Senator FALL. To whom were the disputes as to property or its disposition, or difficulties among Mexicans themselves submitted for arbitration or decision?

Capt. MATLACK. For approximately the two years that I was there they brought their troubles to me.

Senator FALL. Did you render decisions in administering justice?

Capt. MATLACK. I was compelled to do it, sir.

Senator FALL. Were your decisions carried out?

Capt. MATLACK. Yes, sir.

Senator FALL. It was not necessary for you to enforce them by military force?

Capt. MATLACK. Not in one single case; no, sir.

Senator FALL. So that practically, except as under instructions from Col. Langhorne or superior officers in your immediate vicinity, you were the law high and low?

Capt. MATLACK. Yes, sir. I found that most of the smuggling on a small scale was done by women and children, the men were afraid to smuggle for fear they would be shot, or if arrested tried and severely dealt with.

If my patrol picked up a child that was smuggling I investigated and found out its parents, who the parents were; if they lived in Mexico I investigated and found out who the child was visiting in the United States. As soon as I learned who the parents were or who the child was visiting I caused them as a punishment to bring their child to my camp three times a day, at 9, 12, and 5 o'clock, to report to me, so I could see the child was not violating the law any longer. In the case of women violating the law and crossing the river they would be arrested and placed in the small jail in the town of Candelaria, which was not connected with the Army camp: I would put a 35-cent lock on the door and place no guard over the jail; the next morning I would find that the friends of the women had broken the jail and sent them into Mexico, but, of course, they never came back because they thought we had a good case for jail-breaking, and never bothered us only once. Of the Mexicans who had family troubles or sickness—

Senator FALL. Did you try any divorce cases?

Capt. MATLACK. Yes, sir.

Senator FALL. Captain, the committee is impressed with the conviction that even with the Mexicans residing on the other side of the river in the little towns you have mentioned, that many of them, that though they were in sympathy with you, and you received from these private citizens assistance in your investigation—for instance, in the case you have detailed in reference to the presidente of this municipality who is now residing for protection in the United States—that is a fact, is it not—that is a fact, is it not, that from the private citizens over there you received aid and assistance in your investigation?

Capt. MATLACK. Yes, sir.

Senator FALL. Did you ever receive any aid or assistance from the Carranza officials or military forces of Carranza?

Capt. MATLACK. Never.

Senator FALL. Were obstacles thrown in your way by such officials and soldiers?

Capt. MATLACK. Yes, sir.

Senator FALL. Upon more than one occasion, or repeatedly?

Capt. MATLACK. In every occasion that I ever went to them with. On October 16, complying with our orders to report to the nearest Carranza officials any theft or violation of our law, I did so, to Capt. Cecilio Estrella. I sent a messenger to him to come to the river bank to consult with me over the theft that day of two horses from the United States; he struck the messenger across the face with a quirt and said, "Go and tell that gringo son-of-a-bitch to go to hell!"

Senator SMITH. That was the assistance you got?

Capt. MATLACK. Yes, sir. I reported that in a letter to the commanding officer of the Big Bend district, as this record will show: at that same time I asked for authority to go into Mexico for bandits that not only stole property but grossly insulted an American Army officer when he tried to carry out his orders and communicate with them about the theft.

Senator FALL. Captain, there is another question I want to ask you: Did you know of any raid or act of violence originating upon this side of the river and perpetrated upon the other side of the United States, or by any official, except by the soldiers and such civilians as might be under the command of the soldiers in following Mexicans across the river? In other words, was there any stealing or looting or violence along the border, or anywhere that you know of, or ever heard of, from this side of the river committed on the other side?

Capt. MATLACK. The only violence I ever knew of being committed in Mexico by citizens of the United States was on the occasion that Cecilio Estrella was killed. The citizens were compelled to take that action, because the United States Army was prohibited by existing orders from going over themselves.

Senator FALL. That is the occasion to which you referred where the Mexican citizens on this side joined certain Mexican citizens on the other side and executed Estrella.

Capt. MATLACK. Yes, sir.

Senator FALL. But there were no acts of looting, stealing, theft, or violence from this side committed on the other?

Capt. MATLACK. Not one.

Senator FALL. Then, in so far as protecting the Mexicans or Mexican citizens upon the Mexican side of the river, the presence of the United States forces along the border is and has been entirely unnecessary?

Capt. MATLACK. Yes, sir.

Senator FALL. But its presence has been absolutely necessary to protect American citizens on this side from violence perpetrated from Mexicans coming from the other side?

Capt. MATLACK. Yes, sir.

Senator FALL. Thank you, sir.

Capt. MATLACK. There is one other case, Senator. I have communicated with the Mexican consul at Presidio, Tex., through the commanding officer of the Big Bend district, warning him that if he did not endeavor in some way to control the lawless element in the vicinity of San Antonio and Boquillas that we would be compelled to take drastic action, and I offered to pay him or any members of the—or any inhabitants of the town opposite Candelaris \$25 reward from my own personal funds for the arrest of any person who crossed into Mexico, even to get one bottle of sotol or for any other purpose.

Senator FALL. Was that reward ever claimed?

Capt. MATLACK. The reward was never claimed because no one ever went from the United States into Mexico, but the Mexicans came from Mexico armed, and two were killed by my soldiers one night when over on our side one night smuggling sotol and put up a fight. Now, here is a copy of a report I made to the commanding officer of the Big Bend district. It is very short, and I will read it.

SEPTEMBER 18, 1919.

Capt. Mariano Flores Lara, now stationed at San Antonio, Tex., and of the Carranza army, told me in the presence of two witnesses that during the last punitive expedition into Mexico that soldiers under Gen. Pinedo fired at American aeroplanes near San Juan, Mexico. They also seemed to consider this quite a joke, as they laughed heartily while telling of it.

Senator FALL. Captain, your testimony is not only interesting but very instructive. We thank you very much for what you have given us.

### TESTIMONY OF MR. W. B. SIMONS.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee duly authorized thereto.)

Senator FALL. Are you a citizen of the United States?

Mr. SIMONS. Yes, sir.

Senator FALL. Of what State are you a native?

Mr. SIMONS. Montana.

Senator FALL. Where do you reside?

Mr. SIMONS. I have been here with the Denver Rock Drill Co., 301 San Francisco Street.

Senator FALL. Where have you been recently?

Mr. SIMONS. Mexico, Mexico City. And all through that country. I have an office in Mexico City.

Senator FALL. What are the general conditions in Mexico City now with reference to treatment of Americans?

Mr. SIMONS. Not very good. About as bad as they could be.

Senator FALL. Were you ever in the military service of the United States.

Mr. SIMONS. Yes, sir.

Senator FALL. In what capacity?

Mr. SIMONS. Three hundred and fortieth Field Artillery.

Senator FALL. Do you belong to any organization now?

Mr. SIMONS. I do not.

Senator FALL. Of the ex-military men of the United States?

Mr. SIMONS. No, sir.

Senator FALL. Any order?

Mr. SIMONS. No, sir.

Senator FALL. You are not a member of the American Legion.

Mr. SIMONS. No, sir; I have an American Legion button, sir.

Senator FALL. Did you wear that while you were in Mexico?

Mr. SIMONS. I attempted to, but was told to take it off.

Senator FALL. By whom were you told to take it off?

Mr. SIMONS. I was told by a friend that I would get along better, he was in France himself and he took his off. I was told by another ex-soldier there that he could not wear one part of his uniform without being insulted.

Senator FALL. While you were in Mexico City, at what hotel did you stop?

Mr. SIMONS. Regis.

Senator FALL. Did you move to any other house or any other quarters?

Mr. SIMONS. I did not.

Senator FALL. Did any of the other guests at the Regis, while you were in Mexico City, move for any reason?

Mr. SIMONS. I know quite a few moved for a reason.

Senator FALL. For any particular reason?

Mr. SIMONS. Because they would be insulted and had no accommodations whatever and were ignored at the hotel.

Senator FALL. Do you know anything about naval officers of a foreign country being in Mexico City while you were there?

Mr. SIMONS. I do.

Senator FALL. Where did they stop?

Mr. SIMONS. They stopped at the Regis.

Senator FALL. Was that one of the reasons for the removal of the Americans from the Regis?

Mr. SIMONS. That is why they got out and they said they had orders from the Government, but we found out the next day they did not have orders from the Government.

Senator FALL. That is for the purpose of giving accommodations to these naval officers of a foreign country?

Mr. SIMONS. Yes, sir.

Senator FALL. You made a statement, I think for publication in one of the local papers in this city in the last day or two?

Mr. SIMONS. Yes, sir.

Senator FALL. Some days ago?

Mr. SIMONS. Yes, sir.

Senator FALL. You made a statement to some reporter?

Mr. SIMONS. Yes, sir.

Senator FALL. I have here what purports to be a copy of that statement. I notice that you state that there is certain evidence that the Government there and the so-called bandits are cooperating to some extent?

Mr. SIMONS. Absolutely; I don't think there is any doubt about it at all?

Senator FALL. Is that the general impression in Mexico from the Americans there?

Mr. SIMONS. It is.

Senator FALL. Have you ever read the book of, or any of the articles of the ex-consul general of the United States to the City of Mexico, Mr. Chamberlain?

Mr. SIMONS. No.

Senator FALL. You have not had your attention called to it?

Mr. SIMONS. No, sir.

Senator FALL. I ask the question, because he makes the same statement. What, among others are the specific facts which lead you to the impression that governmental authorities and bandits are cooperating, or have an understanding?

Mr. SIMONS. Well, I can not recollect the fellow's name—I know it, too—but they had killed those two fellows from San Antonio—Bowles and another fellow. I was talking to another fellow that they thought they were killing at the same time: he was paymaster for an oil company; he was going out with these fellows: they went out about an hour before he did, and he comes along and finds them; he was telling me that when he left the town he had to give an account of how much gold and how much paper and how much silver money was taking out for these pay rolls.

Senator FALL. He had to report to the authorities as to how much of each he was taking?

Mr. SIMONS. Yes, sir. They thought they were killing him when they were killing the other fellows; he also went ahead and told me. Now, of course, I am positive it is the truth—I am satisfied it is—that when they hold up a man, a paymaster, there they know just exactly what he has got. He has told me of a few cases where they tried to give the bandits a part of it, and about one case where a fel-



low was in a launch there and he did not give them all he had and they jumped right in and tore up everything there and got it.

Senator SMITH. I understand from your information they not only knew the amount, but the character of the money?

Mr. SIMONS. Yes; they knew it. This was the paymaster that was telling me this. The fellow they thought they were killing at the time they killed Bowles and the other fellow.

Senator FALL. While you were in the City of Mexico did you learn anything concerning the case of American Consular Agent Jenkins?

Mr. SIMONS. I did.

Senator FALL. What has been the treatment of Mr. Jenkins, if you know, by the authorities during the time?

Mr. SIMONS. It has been very bad. I had a friend who was a newspaper man; his name is Mr. Brandt; he worked on the case there and taken pictures of him—judges and everything—and he showed me the pictures, and this news he sent out by a representative of the William Fox Film Co.; he could not send it by mail; he told me all about it. He stated there might have been some statement of this man, but it was for his own good; he got up there and told anything that he thought would get him by. He said he had been badly mistreated. I know the fellow very well, because I came with him on the train; he was going down and I was going down, and we were together all the time, and we went to the Regis Hotel together; he kept a room there and I kept a room all the time I was out.

Senator FALL. Were you in Mexico when the recent earthquake occurred there?

Mr. SIMONS. Yes, sir.

Senator FALL. Was any protection extended to those who sought to relieve the necessities of the sufferers from the earthquake, do you know?

Mr. SIMONS. Well, there was not, absolutely none. Mr. Brandt told me he went down there, and went to one place, it was covered up by earth for 10 days by the earthquake and he was the first man gave first aid there, 10 days afterward.

Senator FALL. Did you ever meet a man by the name of J. Salter Hanson?

Mr. SIMONS. No, sir; I don't recollect it. You see I was not at that town; I got my information from this man at Mexico City.

Senator FALL. You were not in Puebla?

Mr. SIMONS. No, sir.

Senator FALL. I notice you seem to be under the impression that the chairman of this committee is not in good favor in Mexico at this time. I notice you say this in this article here?

Mr. SIMONS. I know about the talk, that question came up quite frequently in the hotel, I heard it quite frequently talked about down there.

Senator FALL. How is the travel on the railroads now, how did you get out of Mexico, by what road?

Mr. SIMONS. By Laredo on the National.

Senator FALL. Did you have any trouble getting transportation?

Mr. SIMONS. I did not have any trouble getting back, I had trouble getting a berth, could not get one for a week.

Senator FALL. You finally succeeded in getting a berth?

Mr. SIMONS. Yes; by giving the man 11 pesos.

Senator FALL. Eleven pesos bonus?

Mr. SIMONS. The price was \$20 and it cost me \$31.

Senator FALL. A bonus of \$11?

Mr. SIMONS. I had offered him \$5 for about a week, I was going to give him \$5; then I come down and told him I would give him six more pesos and he got it.

Senator FALL. Then you don't regard, from your knowledge as to Mexican conditions there and all, you don't regard conditions there as settled?

Mr. SIMONS. No, sir.

Senator FALL. Business is secure and going on in the regular way?

Mr. SIMONS. No, sir. Lots of those mines are working just in order to keep them open. I know at El Oro, those mines there—they told me that—I was in all those mining towns, all of them.

Senator FALL. Did you see any military movements while you were there?

Mr. SIMONS. At Saltillo I did; I was told by three different fellows there they were drilling every day to fight us fellows. That is the time they had Jenkins up, and they were figuring on—that is when I was told to take off my legion button.

### TESTIMONY OF MRS. ETHEL PETERSON.

(The witness was sworn by Dan M. Jackson, Esq., secretary of the subcommittee, duly authorized thereto.)

Senator FALL. Where do you live, Mrs. Peterson?

Mrs. PETERSON. Here in El Paso.

Senator FALL. Are you a citizen of the United States?

Mrs. PETERSON. Yes, sir.

Senator FALL. Is your husband living?

Mrs. PETERSON. No, sir.

Senator FALL. When did he die, if you know?

Mrs. PETERSON. On the 12th day of February, 1917.

Senator FALL. Where was he about that time before he died?

Mrs. PETERSON. He was at the Corner ranch, in New Mexico.

Senator FALL. The Corner ranch bordered on Old Mexico?

Mrs. PETERSON. Yes, sir.

Senator FALL. What were the circumstances of his death, from the information that you have?

Mrs. PETERSON. Well, he was shot just above the heart.

Senator FALL. Were other parties with him at the time of his death—I mean others than those that shot him?

Mrs. PETERSON. There were three killed at the same time.

Senator FALL. Who were they, Mrs. Peterson?

Mrs. PETERSON. Mr. Peterson, and my own brother, Mr. Akard, and a Mr. Jensen.

Senator FALL. Were they citizens of the United States?

Mrs. PETERSON. Yes, sir.

Senator FALL. And they were residing, had business at the Corner ranch?

Mrs. PETERSON. Yes, sir.

Senator FALL. Were living there?

Mrs. PETERSON. Yes, sir.

Senator FALL. Have you lived there at any time yourself?

Mrs. PETERSON. I have lived just about 12 miles from there.

Senator FALL. Where were you living when your husband was killed?

Mrs. PETERSON. I was living at Hachita.

Senator FALL. What were the conditions in that particular part of the country, that is about the Corner ranch in reference to peace and order, or violence prior to the killing of your husband, if you know?

Mrs. PETERSON. No, sir; I don't know.

Senator FALL. Was there any particular reason for your leaving and going to Hachita, then?

Mrs. PETERSON. No, sir; only to put my children in school.

Senator FALL. Did you have an investigation made, or do you know whether an investigation was made with reference to the circumstances of the killing of your husband?

Mrs. PETERSON. Yes, sir; there was.

Senator FALL. What was the result of that investigation? What did it disclose, do you know?

Mrs. PETERSON. No, sir; I do not. I was ill at the time.

Senator FALL. Do you know from such information as you have gathered since, whether he was killed on the American side at the ranch, or not?

Mrs. PETERSON. I think not, that I can not say for sure.

Senator FALL. Where was his body discovered, if it was found?

Mrs. PETERSON. About 7 miles they told me from the ranch on the Mexican side.

Senator FALL. And on the Mexican side?

Mrs. PETERSON. Yes, sir.

Senator FALL. The murderers of your husband and his companions have never been apprehended and punished in so far as you know?

Mrs. PETERSON. Not that I ever heard of.

Senator FALL. You have never heard from any source as to any efforts being made to apprehend or punish the murders by the officials in Mexico?

Mrs. PETERSON. No, sir.

Senator FALL. You never heard of it?

Mrs. PETERSON. No, sir; I have not.

(At 4.50 o'clock p. m. the committee adjourned to meet in executive session at 10.30 o'clock a. m., Tuesday, February 10, 1920.)











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